United Nations A/65/500

General Assembly

Distr.: General
11 October 2010

Original: English

Sixty-fifth session
Agenda items 68 (a) and 129

Promotion and protection of human rights: implementation of human rights instruments

Programme budget for the biennium 2010-2011

Revised estimates resulting from the increase in the number of members of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment pursuant to article 5 of the Optional Protocol

Report of the Secretary-General

Summary

The present report details budgetary requirements resulting from the increase in the membership of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment from 10 to 25 members, pursuant to article 5 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In accordance with article 5 of the Optional Protocol, after the fiftieth ratification of or accession to the Protocol, the number of the members of the Subcommittee shall increase to 25.

It may be recalled that, in paragraph 23.34 of the proposed programme budget for the biennium 2010-2011 (A/64/6 (Sect. 23)), the Secretary-General informed the General Assembly that the Subcommittee was composed of 10 experts and would expand to 25 experts when the Optional Protocol entered into force with 50 States parties, which was expected to occur during the biennium 2010-2011. In September 2009, the fiftieth instrument of ratification to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was deposited with the Secretary-General.

The Secretariat currently estimates additional requirements to support the activities of the Subcommittee as follows: (a) for 2011, an estimated amount of $2,233,500; and (b) for the biennium 2012-2013, an estimated amount of $5,474,000. It is proposed that the total additional requirements of $2,233,500 for 2011 be met

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from the provisions of the contingency fund of the programme budget for the biennium 2010-2011 for (i) section 2, General Assembly and Economic and Social Council affairs and conference management ($1,164,600); (ii) section 23, Human rights ($996,800); and (iii) section 28E, Administration, Geneva ($72,100) of the programme budget for the biennium 2010-2011. For the biennium 2012-2013, total estimated requirements of $5,474,000 under (i) section 2, General Assembly and Economic and Social Council affairs and conference management ($3,079,200); (ii) section 23, Human rights ($2,336,000); and (iii) section 28E, Administration, Geneva ($58,800) would be considered in the context of the proposed programme budget for the biennium 2012-2013.

I. Introduction

1. In September 2009, the fiftieth instrument of ratification to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was deposited with the Secretary-General. Pursuant to article 5 of the Optional Protocol, after the fiftieth ratification of or accession to the Optional Protocol, the number of the members of the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment shall increase from 10 to 25. It should be noted that the Subcommittee was established in 2006, in accordance with article 2 of the Optional Protocol.

2. It is expected that the Subcommittee will have its first session constituting its expanded membership of 25 in February 2011. As from 2011, it is estimated that provisions approved in the 2010-2011 programme budget for support of the Subcommittee and its conference servicing requirements would have to be increased to allow the Subcommittee to fulfil its mandate under the Optional Protocol. Pursuant to article 25 of the Optional Protocol, expenditures incurred by the Subcommittee in its implementation shall be borne by the United Nations.

II. Additional activities arising from the increase in the members of the Subcommittee

3. The additional activities arising from the increase in the membership of the Subcommittee, to be carried out relate to (a) programme 1, General Assembly and Economic and Social Council affairs and conference management; (b) subprogramme 2, Supporting human rights treaty bodies, of programme 19, Human rights; and (c) subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan and priorities for the period 2010-2011. They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management; section 23, Human rights; and section 28E, Administration, Geneva, of the programme budget for the biennium 2010-2011.

4. It is expected that an expanded Subcommittee will require, in addition to travel and per diem costs for 15 additional members for attendance at its annual sessions, resources for support staff, documentation and interpretation of its meetings. The expanded Subcommittee will also be expected to undertake more regular monitoring visits, including country, advisory and follow-up visits.

III. Resources available within the programme budget for the biennium 2010-2011

5. As can be seen from the annex to the present report, provisions for the year 2011 have been made in the programme budget for the biennium 2010-2011, to support the activities of the Subcommittee as follows: (a) conference-servicing requirements under section 2, General Assembly and Economic and Social Council affairs and conference management ($4,719,800); (b) travel, per diem and terminal expenses of the 10 members of the Subcommittee to attend its three annual regular sessions in Geneva of five working days each, travel expenses of members and staff for country visits, staff costs to assist the Subcommittee consisting of 1 P-4, 1 P-3 and

1 General Service (GS) (Other level (OL)) and general operating expenses for preventive monitoring visits under section 23, Human rights ($941,800); and (c) conference-support servicing requirements for sound technicians and recurring general operating expenses under section 28E, Administration, Geneva ($23,600). With the increase in membership, the Subcommittee will be working in three additional official languages: Arabic, French and Russian, compared to its current two official languages, English and Spanish.

IV. Additional provisions required under the programme budget for the biennium 2010-2011 and the proposed programme budget for the biennium 2012-2013

6. As from the year 2011, when the Subcommittee is expected to have its first session constituting its expanded membership of 25 members, the additional requirements arising from the increase in the membership of the Subcommittee from 10 to 25 members, are outlined below and summarized in paragraph 36 of the present report and in the annex to the report.

A. Section 2, General Assembly and Economic and Social Council affairs and conference management

Table 1
(United States dollars)

	2011			*2012-2013*
	Annual cost	*Existing provision*	*Additional cost*	*Biennium cost*
Conference services cost for expanded Subcommittee				
1. Additional staff required				
2 P-5 senior revisers (French, Spanish)	249 800	—	249 800	902 800
2 P-4 revisers (English and French)	214 800	—	214 800	776 400
Subtotal for additional staff	**464 600**	**—**	**464 600**	**1 679 200**
2. Non-staff resources required and existing provision for conference services				
Additional requirements for conference services under the expanded Subcommittee through realigning documentation to contractual translation	5 419 800	4 719 800	700 000	1 400 000
Total, section 2	**5 884 400**	**4 719 800**	**1 164 600**	**3 079 200**

7. The increase in the membership of the Subcommittee will result in an increased workload, primarily owing to increasing the working languages to include Arabic, French and Russian. Based on the list of States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment and candidatures submitted for the elections, pre- and in-session documentation is expected to be translated into Arabic, English, French, Russian and Spanish. Post-session documents and summary records, which are of broader interest, will continue to be issued in all six official languages of the United Nations. Despite the increased activity, it is anticipated that the Subcommittee will make efforts to reduce the volume of documentation by 540 estimated standard pages. The total estimated requirements per annum for the Division of Conference Management at the United Nations Office in Geneva would be interpretation services for 30 meetings and documentation services for 3,960 estimated standard pages. In addition, the confidential nature of the documents related to the Optional Protocol precludes external contractual translation; hence, they must be processed in-house.

8. In order to cope with the dual challenges of the increased documentation workload and confidentiality requirements owing to the expanded membership of the Subcommittee, the Division of Conference Management at the United Nations Office at Geneva has analysed its overall documentation workload as regards requirements of confidentiality and deadline restrictions. Based on such analysis, it is proposed to increase the use of contractual translation for some documentation, that does not have confidentiality requirements and deadline restrictions, and to realign the internal resources currently dedicated to processing non-confidential documentation to processing documentation related to the Optional Protocol. To ensure that all documentation processed through this realignment arrangement meet with the requirements of quality standard and timeliness, it is proposed to establish four new posts (2 posts at the P-5 level and 2 posts at the P-4 level) to provide sufficient quality control capacity and to strengthen the revision function. With the above proposal, the documentation related to the Optional Protocol could be processed internally in a most cost-effective way and meet the requirements of quality, confidentiality and deadline restriction.

9. The realignment of the in-house translation workload and the expansion of contractual translation are feasible, provided that the quality control capacity is increased in line with the extended use of contractual translation. The experience of the biennium 2008-2009, where funding for contractual translation was doubled under the Division of Conference Management, Geneva, has showed that adequate quality control is a key element in the efficient and effective use of contractual translation. It is therefore proposed that two new P-5 senior reviser posts (French and Spanish) be established effective January 2011, at a cost estimated at $249,800 in 2011, to augment the existing in-house quality control capacity for the non-confidential documents that will be processed contractually during 2011 as a result of the expanded use of contractual translation. In addition, these two P-5 senior reviser posts will also be assigned to in-house processing, including revision and translation, of Optional Protocol documentation that is of an exceptionally sensitive, complex and technical nature. It should be further noted that précis-writing is an important aspect of the work performed by the English and French sections in the servicing of the meetings of the Subcommittee. Two additional P-4 reviser posts (English and French) are proposed to be established effective January 2011, at an estimated cost of $214,800 in 2011, to draft and revise Optional Protocol summary records, which, because of their complex and sensitive nature, require experience and specific expertise. The required experience and expertise will allow the revisers to also efficiently translate, without revision, the Subcommittee documentation, thus reducing the documentation processing time and providing valuable flexibility

in managing the documentation processing system, which is important, given the current low rate of timely submission for human rights-related documentation.

10. One aspect of the realignment is the expansion of the use of contractual translation of non-confidential documentation, including those without deadline restriction. As such, it is estimated that with the above proposal, the total additional resources estimated at $700,000, under contractual translation, would be required.

11. In view of the level of the appropriation approved under the programme budget for the biennium 2010-2011, and the early stage of implementation of the activities programmed for the biennium, at the time of the preparation of this report, it is proposed to initially establish two P-5 and two P-4 posts at a total cost estimated at $464,600, as well as provide an amount of $700,000 for contractual translation of non-Optional Protocol documents, as from 2011 under section 2, General Assembly and Economic and Social Council affairs and conference management.

12. Recognizing that the nature of both the number of meetings and the volume of associated documentation of the Human Rights Council and its subsidiary bodies is unpredictable, it is difficult to assess, at this point in time, whether or not the estimated resource requirements for 2010-2011 will be sufficient.

13. As can be noted from table 1, for the biennium 2012-2013, the total full costs of $3,079,200, are estimated for the (i) four new posts (2 P-5 and 2 P-4) proposed for establishment as from 2011 ($1,679,200); and (ii) to provide for contractual services to meet the increased workload discussed above ($1,400,000).

14. No modification to the approved programme of work under section 2, for the biennium 2010-2011 would be required. In drawing up the programme of work under section 2 of the proposed programme budget for the biennium 2012-2013, the outputs arising from the increase in the membership of the Subcommittee would be taken into consideration.

B. Section 23, Human rights

Table 2

(United States dollars)

	2011			*2012-2013*
	Annual cost	*Existing provision*	*Additional cost*	*Biennium cost*
1. Existing staff				
1 P-4 Human Rights Officer	194 100	194 100	—	—
1 P-3 Human Rights Officer	164 200	164 200	—	—
1 General Service (OL)	105 900	105 900	—	—
Subtotal	**464 200**	**464 200**	—	—
2. Additional staff required				
1 P-3 Human Rights Officer	90 900	—	90 900	328 400
1 P-2 Human Rights Officer	79 000	—	79 000	285 400
1 General Service (OL)	71 700	—	71 700	211 800
Subtotal	**241 600**	—	**241 600**	**825 600**

	2011			2012-2013
	Annual cost	*Existing provision*	*Additional cost*	*Biennium cost*
3. Travel, daily subsistence allowance and terminal expenses				
3 sessions in Geneva of 5 working days each, travel for 10 existing members and 15 new members				
Travel expenses	615 900	246 400	369 500	739 000
Travel for 6 country visits of 10 working days each (4 members and 1 expert)				
Travel expenses	270 100	162 100	108 000	216 000
Travel for 4 staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR) for country visits				
Travel expenses	141 600	56 900	84 700	169 400
Travel for 3 advisory visits of 3 working days each (2 members)				
Travel expenses	39 300	—	39 300	78 600
Travel for 1 OHCHR staff for advisory visits				
Travel expenses	12 500	—	12 500	25 000
Travel for 2 follow-up visits of 3 working days each (1 member)				
Travel expenses	13 100	—	13 100	26 200
Travel for 1 OHCHR staff for follow-up visits				
Travel expenses	8 300	—	8 300	16 600
Subtotal	**1 100 800**	**465 400**	**635 400**	**1 270 800**
4. General operating expenses				
Rental of vehicle with driver during missions	55 000	5 000	50 000	100 000
Communication costs	22 000	2 000	20 000	40 000
Rental of office premises	33 000	3 000	30 000	60 000
Other miscellaneous services	22 000	2 200	19 800	39 600
Subtotal	**132 000**	**12 200**	**119 800**	**239 600**
Total, Section 23	**1 938 600**	**941 800**	**996 800**	**2 336 000**

15. It may be recalled that, in paragraph 23.34 of the proposed programme budget for the biennium 2010-2011 (A/64/6 (Sect.23)), the Secretary-General informed the General Assembly that the Subcommittee, then comprising of 10 experts, would expand to 25 experts when the Optional Protocol entered into force for 50 States parties, which was expected to occur during the biennium 2010-2011. In order to

provide minimal substantive and technical secretariat services to the expanded Subcommittee, the additional resources below will be required.

16. It is estimated that an expanded Subcommittee will give rise to additional requirements of $996,800 in 2011, as follows: (a) travel, daily subsistence allowance and terminal expenses for attendance at three sessions of the Subcommittee in Geneva for 15 additional members, as mandated by the Optional Protocol ($369,500); (b) travel, daily subsistence allowance and terminal expenses of members for country, advisory and follow-up visits ($160,400); (c) provision for the establishment of three new posts (1 P-3, 1 P-2 and 1 GS (OL)) to provide support to the Subcommittee ($241,600); (d) travel of OHCHR staff to accompany members of the Subcommittee on country, advisory and follow-up visits ($105,500); and (e) general operating expenses (rental of vehicles, communications, rental of office premises and other miscellaneous services) ($119,800).

17. The 25-member Subcommittee will more than double the current number of experts in the Subcommittee and will make it the largest United Nations treaty body.

18. The conduct of preventive monitoring visits to places where people are deprived of their liberty constitutes the core of the work of the Subcommittee and distinguishes the Subcommittee from all other existing United Nations treaty bodies. Since the Subcommittee started its work in February 2007, it has undertaken eight regular monitoring missions, at an average of two to three missions per year. It is envisaged that the expanded Subcommittee will undertake more regular monitoring visits including a follow-up mission to countries previously visited, as contemplated under article 13.4 of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Subcommittee has not been able to date to officially undertake missions to advise national preventive mechanisms, as mandated by article 11 (b); however, given the existing demand for this type of advisory activity, it is proposed that the Subcommittee begin to conduct such advisory missions as soon as possible.

19. It is projected that the expanded Subcommittee will undertake 11 missions annually, of which:

(a) Six will be regular visits under articles 11 (a) and 13.1 of the Optional Protocol;

(b) Three will be visits under article 11 (b) to advise national preventive mechanisms;

(c) Two will be follow-up visits under article 13.4 of the Optional Protocol.

20. The six regular annual visits are anticipated to have a duration of 10 working days each and require additional resources of $192,700 over the resources of $219,000, currently provided for 2011, in the programme budget for the biennium 2010-2011. The delegations undertaking those visits will be composed of four Subcommittee members, one external expert, four Secretariat staff (including 1 security officer, as required by the Department of Safety and Security) and interpreters, as required.

21. With respect to advisory visits, it is estimated that three such annual visits will be undertaken for a duration of three working days each, which will require additional annual resources of $51,800. The delegations undertaking those visits would be composed of two Subcommittee members, one Secretariat staff and interpreters, if needed.

22. Lastly, in 2011 the Subcommittee will enter its fourth year of operation, and it is estimated that a minimum of about 12 visits would have been conducted. Hence, follow-up visits, as provided for under article 13.4 of the Optional Protocol, will be needed. It is proposed that two annual follow-up visits with a duration of three working days each be conducted, for which it is estimated additional resources of $21,400 would be required in 2011. These visits would require only one Subcommittee member, one Secretariat member and interpreters, if needed.

23. The workload to be generated as a result of the additional visits to be undertaken by the Subcommittee calls for an increase in the staff assigned to servicing the Subcommittee, in addition to the current professional staffing of one P-4, one P-3 and one GS (OL). Current professional staff covers 440 working days (220 working days each), which equates to 88 work weeks (44 work weeks each). Based on the expected workload of the Subcommittee in its new composition, which equates to a total of 221.5 work weeks, additional staffing would be required. It is however proposed to provide initially two additional professional staff resources (1 P-3 and 1 P-2 posts). The additional staff proposed and the existing staff would total four professional posts, assigned to service the Committee. In order to ensure coverage of the estimated 221.5 work weeks required to service the expanded Subcommittee, it is proposed to supplement the four professional staff at 44 working weeks each (equals 176 working weeks), with a professional staff at the P-3 level as a temporary measure from within provisions under section 23, Human rights, until experience is gained, with respect to the actual workload generated as a result of the expanded Subcommittee.

24. The approved staffing table for the biennium 2010-2011 under the corresponding subprogramme 2, Supporting human rights treaty bodies implemented by the Human Rights Treaties Division, consists of 37 professional and above and 17 GS (OL) posts supplemented by 22 professional and above and 5 GS (OL) posts provided from extrabudgetary resources. Despite normal turnover and changing linguistic requirements (as noted below), it is expected that the Division will remain fully staffed throughout the biennium 2010-2011 and beyond, owing to the demands in servicing the various treaty bodies. The number of States party to the treaties falling under subprogramme 2 has more than tripled over the past decade. The number of complaints has increased dramatically (from under 1,000 complaints in 1997 to over 3,500 in 2001, over 9,000 in 2004-2005 period, and over 10,000 in the past two bienniums). In addition to this growth, the languages in which the complaints are submitted have also evolved, requiring some adjustments and increases in staffing to ensure sufficient skills and capacity. At present, approximately 40 per cent are received in Russian, 40 per cent in English, 15 per cent in French and Spanish, and 5 per cent in other languages.

25. With respect to the general service staff support, one such staff currently assists the Subcommittee. It is proposed that an additional General Service (OL) post be assigned to the Subcommittee. The need for an additional general service post is justified particularly by the demands that would arise in the organization of field missions. Should the General Assembly approve the proposals for an estimated 11 annual field missions, experience has proved that organizing field missions involves weeks of time-consuming preparatory work, during which the logistics of the missions need to be arranged (e.g. travel, lodging, local drivers, interpretation and security), including liaison with field presences or UNDP offices, the sending of financial cables and memos, and the coordination of a number of meetings in the

field. In addition to the organization of field missions, the incumbent of the general service post will be required to also service the three one-week sessions a year.

26. Additional requirements of $996,800, including requirements for the establishment of one P-3, one P-2 and one GS (OL), are estimated to arise in 2011 under section 23, Human rights, in relation to the expanded Subcommittee.

27. For the biennium 2012-2013, as can be noted from the annex to this report and table 2, it is estimated that at full costs resources of $2,336,000 will be required, including the three new posts one P-3, one P-2 and one GS (OL) proposed for establishment in 2011 to support the activities of the expanded Subcommittee. These requirements will be addressed in the context of the 2012-2013 proposed programme budget.

28. No modifications of the programmed outputs, under section 23, Human rights, of the programme budget for the biennium 2010-2011 (A/64/6 (Sect. 23)) under subprogramme 2, Supporting human rights treaty bodies, would be required.

29. The relevant outputs pertaining to the sessions of the Subcommittee and the related parliamentary documentation for the biennium 2012-2013 would be taken into consideration at the time of preparation of the proposed programme budget for that biennium.

C. Section 28E, Administration, Geneva

Table 3

(United States dollars)

	2011			*2012-2013*
	Annual cost	*Existing provision*	*Additional cost*	*Biennium cost*
Sound engineers to support additional 10 days of meetings	11 000	11 000	—	—
One-time setup costs (furniture and computer) at $6,100 per post for seven new posts proposed in this report	42 700	—	42 700	—
Recurring costs (mail, supplies, telecommunications, utilities, office cleaning) at $4,200 per post annually for seven new posts	42 000	12 600	29 400	58 800
Total, Section 28E	**95 700**	**23 600**	**72 100**	**58 800**

30. The proposals for section 28E, Administration, Geneva, with respect to conference support services, are based on the workload projections for the year 2011 and the biennium 2012-2013, and were arrived at in consultation with Conference Services Division of the United Nations Office at Geneva and OHCHR. No additional requirements would arise for 2011 and for the biennium 2012-2013, in connection with the provision of sound technicians and clerical support for the Subcommittee.

31. However, for the year 2011, additional requirements estimated at $72,100 are required under section 28E, Administration, Geneva, of the programme budget for the biennium 2010-2011, to provide for costs associated with the seven new posts

proposed for establishment in 2011 (4 new posts under section 2, General Assembly and Economic and Social Council affairs and conference management and 3 new posts under section 23, Human rights), as follows: (i) recurring costs (mail, supplies, telecommunications, utilities and office cleaning estimated at $4,200 per post or $29,400 annually); and (ii) non-recurring costs (office furniture and equipment estimated at $6,100 per post or $42,700).

32. For the biennium 2012-2013, recurring costs estimated at $58,800 are expected to arise under section 28E, Administration, Geneva, for the seven new posts proposed for establishment in 2011, as reflected above. It is proposed to address the 2012-2013 requirements within the context of the proposed programme budget for the biennium 2012-2013.

33. No modification to the approved programme of work under section 28E for the biennium 2010-2011 would be required. In drawing up the programme of work under section 28E for the proposed programme budget for the biennium 2012-2013 the outputs arising from the increase in the membership of the Subcommittee will be taken into consideration.

Section 35
Staff assessment
Income section 1

34. Estimated additional requirements of $98,000 for the seven new posts proposed for establishment — (a) 2 P-5, and 2 P-4 under section 2, General Assembly and Economic and Social Council affairs and conference management; and (b) 1 P-3, 1 P-2, and 1 GS (OL) under section 23, Human rights) — are expected to arise in 2011 under section 35, Staff assessment, which will be offset by a corresponding amount under income section 1, Income from staff assessment.

35. For the biennium 2012-2013, requirements of $343,800 at full costs for staff assessment are expected to arise under section 35, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff. Those requirements for the biennium 2012-2013 will be addressed in the context of the proposed programme budget for the biennium 2012-2013.

Summary of overall estimated additional requirements

36. The estimated additional requirements for the bienniums 2010-2011 and 2012-2013 are summarized in table 4. As can be noted from table 4, total additional requirements of $2,233,500 are proposed for 2011. All of the requirements for 2011 are not included in the programme budget for the biennium 2010-2011. For the biennium 2012-2013, the estimated requirements of $5,474,000 will be considered within the context of the proposed programme budget for the biennium 2012-2013.

Table 4

(United States dollars)

	2011	*2012-2013*
I. Section 2, General Assembly and Economic and Social Council affairs and conference management		
Staff: 2 P-5 and 2 P-4 posts	464 600	1 679 200
Contractual services	700 000	1 400 000
Subtotal	**1 164 600**	**3 079 200**
II. Section 23, Human rights		
Staff 1 P-3, 1 P-2, 1 GS (OL)	241 600	825 600
Travel, daily subsistence allowance and terminal expenses/members	529 900	1 059 800
Travel, daily subsistence allowance and terminal expenses/staff	105 500	211 000
General operating expenses	119 800	239 600
Subtotal	**996 800**	**2 336 000**
III. Section 28E, Administration, Geneva	72 100	58 800
IV. Section 35, Staff assessment	98 000	343 800
V. Income section 1	(98 000)	(343 800)
Grand total	**2 233 500**	**5 474 000**

V. Conclusions and action required of the General Assembly

37. **The fiftieth ratification of the Optional Protocol and the consequential increase in the membership of the Subcommittee has given rise to estimated additional requirements for the programme budget for the biennium 2010-2011 in the amount of $2,233,500, including $1,164,600 under section 2, General Assembly and Economic and Social Council affairs and conference management; $996,800 under section 23, Human rights; $72,100 under section 28E, Administration, Geneva; and $98,000 for staff assessment under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2010-2011.**

38. **It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under that procedure, if additional expenditures were proposed that exceed the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.**

39. **The Secretariat has sought to identify areas from which resources can be redeployed to meet the additional requirements. While every effort has been made to accommodate the requirements of $2,233,500 from within the existing**

resources under section 2 ($1,164,600), section 23, Human rights ($996,800), section 28E ($72,100) and for staff assessment under section 35, Staff assessment ($98,000), offset by an equivalent amount under income section 1, Income from staff assessment, the extent of that accommodation could be determined only in the light of the consolidated statement on the contingency fund, reflecting the demand for the additional services, stemming from all statements of programme budget implications and revised estimates for the biennium 2010-2011. A consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2010-2011 for which additional appropriations are sought under the terms of the contingency fund will be submitted by the Secretary-General to the General Assembly towards the end of the main part of its sixty-fifth session, together with his proposals on the extent of utilization of the contingency fund for these additional requirements.

40. For the biennium 2012-2013, the estimated requirements of $5,474,000 under section 2 ($3,079,200), section 23, Human rights ($2,336,000), section 28E ($58,800) and for staff assessment under section 35, Staff assessment ($343,800), offset by an equivalent amount under income section 1, Income from staff assessment, for the biennium 2012-2013 will be addressed within the context of the proposed programme budget for the biennium 2012-2013.

41. The General Assembly is requested to approve the proposals of the Secretary-General for total additional requirements of $2,233,500 for 2011 arising from the increase in the membership of the Subcommittee, as a charge against the contingency fund for the biennium 2010-2011, relating to:

(a) Section 2, General Assembly and Economic and Social Council affairs and conference management ($1,164,600);

(b) Section 23, Human rights ($996,800);

(c) Section 28E, Administration, Geneva ($72,100);

(d) Section 35, Staff assessment ($98,000), offset by an equivalent amount under income section 1, Income from staff assessment;

(e) The establishment of seven posts as follows: (i) 2 P-5 and 2 P-4 posts under section 2, General Assembly and Economic and Social Council affairs and conference management; and (ii) 1 P-3, 1 P-2 and 1 GS (OL) under section 23, Human rights.

Annex

Total additional cost estimated for the increase in activities related to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the biennium 2010-2011 and the biennium 2012-2013

(In United States dollars)

			2011			2012-2013
Requirements	*Number of units*	*Cost/unit (a)*	*Annual cost (b)*	*Existing provision (c)*	*Additional cost (d) = (b)-(c)*	*Biennium cost (e)*
A. Section 2, General Assembly and Economic and Social Council affairs and conference management						
1. Additional staff required						
2 P-5 senior revisers (French, Spanish)	2	124 900	249 800	—	249 800	902 800
2 P-4 revisers (English and French)	2	107 400	214 800	—	214 800	776 400
Subtotal 1, Section 2			**464 600**		**464 600**	**1 679 200**
2. Non-staff resources required and existing provision for conference services						
Additional requirements for conference services under the expanded Subcommittee through realigning documentation to contractual translation			5 419 800	4 719 800	700 000	1 400 000
Subtotal, Section 2			**5 884 400**	**4 719 800**	**1 164 600**	**3 079 200**
B. Section 23, Human rights						
1. Existing staff						
1 P-4 Human Rights Officer	1	194 100	194 100	194 100	—	—
1 P-3 Human Rights Officer	1	164 200	164 200	164 200	—	—
1 General Service (OL)	1	105 900	105 900	105 900	—	—
Subtotal 1, Section 23			**464 200**	**464 200**	**—**	**—**
2. Additional staff required						
1 P-3 Human Rights Officer	1	90 900	90 900	—	90 900	328 400
1 P-2 Human Rights Officer	1	79 000	79 000	—	79 000	285 400
1 General Service (OL)	1	71 700	71 700	—	71 700	211 800
Subtotal 2, Section 23			**241 600**	**—**	**241 600**	**825 600**
3. Travel, daily subsistence allowance and terminal expenses						
3 sessions in Geneva of 5 working days each: travel for 10 existing members and 15 new members			615 900	246 400	369 500	739 000
Travel for 6 country visits of 10 working days each (4 members and 1 expert)			270 100	162 100	108 000	216 000

Requirements	Number of units	Cost unit (a)	2011 Annual cost (b)	Existing provision (c)	Additional cost (d)=(b)-(c)	2012-2013 Biennium cost (e)
Travel 4 OHCHR staff for country visits			141 600	56 900	84 700	169 400
Travel for 3 advisory visits of 3 working days each (2 members)			39 300	—	39 300	78 600
Travel 1 OHCHR staff for advisory visits			12 500	—	12 500	25 000
Travel for 2 follow-up visits of 3 working days each (1 member)			13 100	—	13 100	26 200
Travel 1 OHCHR staff for follow-up visits			8 300	—	8 300	16 600
Subtotal 3, Section 23			**1 100 800**	**465 400**	**635 400**	**1 270 800**
4. General operating expenses						
Rental of vehicle with driver	11	5 000	55 000	5 000	50 000	100 000
Communication costs	11	2 000	22 000	2 000	20 000	40 000
Rental of office premises	11	3 000	33 000	3 000	30 000	60 000
Other miscellaneous services	11	2 000	22 000	2 200	19 800	39 600
Subtotal 4, Section 23			**132 000**	**12 200**	**119 800**	**239 600**
Subtotal, Section 23			**1 938 600**	**941 800**	**996 800**	**2 336 000**
C. Section 28E, Administration, Geneva						
Sound engineers to support additional 10 days of meetings			11 000	11 000	—	—
One-time set-up costs (furniture and computer) at $6,100 per post for seven new posts			42 700	—	42 700	—
Recurring costs (mail, supplies, telecommunications, utilities, office cleaning) at $4,200 per post per annum for seven new posts			42 000	12 600	29 400	58 800
Subtotal, Section 28E			**95 700**	**23 600**	**72 100**	**58 800**
D. Section 35, Staff assessment			169 900	71 900	98 000	343 800
E. Income Section 1, Income from Staff assessment			(169 900)	(71 900)	(98 000)	(343 800)
Total			**7 918 700**	**5 685 200**	**2 233 500**	**5 474 000**

United Nations A/65/501

General Assembly

Distr.: General
11 October 2010
English
Original: French

Sixty-fifth session
Agenda items 8 and 115

General debate

Follow-up to the outcome of the Millennium Summit

Letter dated 6 October 2010 from the Permanent Representative of Madagascar to the United Nations addressed to the President of the General Assembly

I have the honour to refer to two letters dated 22 September 2010 and 27 September 2010, respectively, communicating to you the decision of the delegation of Madagascar to decline the podium during the general debate of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and during the general debate at the sixty-fifth session of the United Nations General Assembly.

As mentioned in the above-mentioned letters, this decision has been taken on a sovereign and voluntary basis, not only with a view to preventing useless, counterproductive statements but also in order to preserve the peaceful unfolding of the work of the General Assembly.

On behalf of my Government, I should be grateful if you would circulate the present letter and its annexes (texts of the statements which the Minister for Foreign Affairs of Madagascar would have delivered on 22 September 2010 and 29 September 2010) as documents of the sixty-fifth session of the General Assembly under agenda item 8.

(*Signed*) Zina **Andrianarivelo-Razafy**
Permanent Representative

10-57491 (E) 131010 131010

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Annex I to the letter dated 6 October 2010 from the Permanent Representative of Madagascar to the United Nations addressed to the President of the General Assembly

Statement by the Minister for Foreign Affairs of Madagascar at the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals (New York, 22 September 2010)

On behalf of the Government of Madagascar and the Malagasy delegation, allow me to express our heartfelt thanks for the invitation to take part in this historic occasion, to which the Malagasy people attach so much importance. My delegation would also like to offer our sincere and warm congratulations on your election as Co-Chairs of the High-level Meeting.

In adopting the Millennium Declaration in 2000, we have influenced the history of our Organization through our determination and commitment to make our planet a better place by means of the goals we have set for the benefit of hundreds of millions of human beings.

Accordingly, allow me once again to express my Government's sincere appreciation to the Secretary-General for his efforts to mobilize the necessary resources for the holding of this meeting, whose success is vital for the well-being of our people now and in future generations.

Madagascar welcomes the February 2010 report of the Secretary-General on the Millennium Development Goals (A/64/665), entitled "Keeping the promise", and the negotiation process leading to the Final Declaration of the 2010 High-level Meeting, which my delegation fully supports.

Despite these efforts, however, and with only five years to go before the target date for the achievement of the Goals, the complex and cross-cutting nature of the world crisis is becoming increasingly apparent, owing to, among other things, the 2007-2010 recession in the wake of the financial crisis — which has affected nearly all the countries of the world — and the ever-multiplying political crises in Africa. These situations run the risk of seriously undermining the progress already made. We must therefore join forces to double or even triple our efforts to achieve the Goals, aiming to eliminate poverty, hunger, sickness and maternal and infant mortality, in accordance with the Secretary-General's ardent wish to make this summit meeting a crucial opportunity for promoting the Goals.

We bear witness daily to the continued degradation of our environment. The proliferation of the effects of climate change on our planet, our peoples and our economies is a warning signal to which we must respond without delay. Strengthened by the growing interdependence of our States and communities, these scourges are a constant source of concern and require us to take rapid, effective and sustainable action.

We welcome the progress made and the further steps taken to achieve the eight Goals we have set for ourselves. Unfortunately, however, we have a long way to go, and time is not on our side. Universal mobilization, accompanied by a firm political will and the concrete realization of existing commitments, is therefore essential.

Development and security are inseparable, and they must be seen as long-term strategies. They help to combat the existing poverty, infectious diseases and environmental degradation that affect millions of people and constantly threaten human security. They also play a decisive role in building the capacity of States that have become too weak to deal with the various challenges they face.

Madagascar is one of the most vulnerable countries in the world, not only because of its persistent economic weakness but also owing to its geographical situation, which constantly exposes it to climate hazards. Nonetheless, I should like to announce that the Malagasy Government has spared no efforts to fulfil its commitments. In particular, it has made progress in the area of health.

As a result of the drastic actions and concrete measures it has taken, Madagascar has seen a considerable reduction in infant and child mortality.

I also draw your attention to the HIV/AIDS situation in Madagascar, where the prevalence rate was 0.1 per cent in 2007 and remains low. Madagascar is redoubling its efforts, however, to combat this disease, and it has joined various regional and international initiatives in that regard.

As you know, Madagascar has a rich and unique biodiversity, making it one of the countries with the highest rates of endemicity. Protection of the environment is therefore one of the Malagasy Government's highest priorities. The proportion of forest-covered land has tended to stabilize in the past few years. Accordingly, the current environment programme is emphasizing the creation of 2.65 million hectares of protected areas, which would ultimately constitute 10 per cent of the country's surface and would reduce deforestation by 75 per cent.

Education is equally important, as it is the cornerstone for the success of future generations. Madagascar has witnessed significant progress in this area; its priorities include literacy training, training of adults and teachers in the required competencies and determining appropriate guidelines for the country's situation.

In order to eliminate poverty and hunger or cut it in half in accordance with Goal 1, we have strengthened food security by adopting a national nutrition policy (2005-2009) and a national health policy, with special coverage for acute malnutrition since 2008. The arm circumference measurement programme and the accelerated reduction of malnutrition in the south-eastern region of the country, together with the establishment of nutrition centres and the promotion of infant feeding, are part of this coverage. We need to take further steps, however, to extend these programmes to other areas in the short term and then, in the longer term, ensure that the people as a whole become responsible for their own food security. To that end, the funding allocated to microprojects in the agro-food sector must be increased.

As for gender equality and the empowerment of women, a national Gender and Development Action Plan (PANAGED) was adopted in 2003, and a number of measures known as *miralenta* (equality) in the Malagasy language have been taken in order to promote gender equality before the law and in various legal situations. Subsequently, an employment policy act was adopted in 2005 to fight discrimination and promote the hiring and occupational training of women. Tangible results can already be seen, including the establishment of networks of women leaders in the country's 22 regions.

With the help of multilateral cooperation, Madagascar has been able to reduce maternal and infant mortality by providing prenatal and post-natal care for women, financed by an "equity fund" set up in all hospital centres. The health of the population in general has benefited from national measures to combat malaria and other diseases, including a vaccination campaign, easy access to basic health centres and the distribution of insecticide-treated mosquito nets.

As you can see, many kinds of advances have been made. Nonetheless, Madagascar is far from meeting the targets of the Millennium Development Goals.

A dynamic, effective and targeted partnership must be an integral part of the essential tools for achieving the Goals. Madagascar therefore calls on its partners to keep their commitments and mobilize more resources in order to enable all countries, especially the African developing countries, to reach the Goals.

To that end, it would be useful to strengthen innovative financing mechanisms, such as carbon trading, in order to encourage societal and environmental responsibility in the economic field.

Resolved to help bring about a better future for all, Madagascar supports the positions of the small island developing States and the least developed countries with respect to cooperation with the United Nations system.

We also support the recommendations of the Group of 77 and China on capacity-building, increased technical and financial assistance and technology transfer. The new information and communications technologies are of great value in promoting democracy, development and security. Moreover, they may considerably facilitate public participation in political affairs and influence the younger generation.

Having come two thirds of the way, we have a long road ahead in terms of investment and commitments. But if we establish a real partnership, the distance will seem short, the time will pass quickly and our Goals will be achieved. A better world awaits us in 2015, where we will enjoy peace based on world solidarity. Let us take up the challenge and devote ourselves squarely and optimistically to that goal.

Annex II to the letter dated 6 October 2010 from the Permanent Representative of Madagascar to the United Nations addressed to the President of the General Assembly

Statement by His Excellency Mr. Hippolyte Rarison Ramaroson, Minister for Foreign Affairs of the Republic of Madagascar at the General Debate of the sixty-fifth session of the General Assembly (New York, 29 September 2010)

It is a pleasure to speak from the podium of the United Nations and to make a contribution to the discussions and consultations at this sixty-fifth session of the General Assembly.

Allow me first of all to express my thanks to His Excellency Mr. Ali Abdussalam Treki for the manner in which he conducted the work of the sixty-fourth session of the General Assembly, which allowed us to make progress on various relevant topics useful for the development of all of humanity.

Allow me also to congratulate His Excellency Mr. Joseph Deiss on his election as President of the sixty-fifth session. I am certain that our Assembly will adopt relevant resolutions and decisions under his clear-sighted leadership.

I would also like to express my profound gratitude to His Excellency Mr. Ban Ki-moon, Secretary-General of our Organization, for his unflagging determination to make it the pillar and foundation of a global structure with a human face, a universal system in which all, without exception, are taken into account and feel that they are given consideration.

As we all know, the United Nations provides the ideal setting to exchange our respective experiences and to maintain the momentum of our solidarity.

Therefore, the theme chosen for this session, "Reaffirming the central role of the United Nations in global governance", is opportune. Indeed, it is more important than ever to restore our Organization to a central leadership role in addressing the numerous challenges facing the world.

We can make a start through better representation of the major geopolitical, demographic and geo-economic groups in the decision-making bodies of international organizations, beginning with the United Nations, which should be the central pillar of the system of global governance.

The current international environment is characterized by persistent global crises. The ongoing consequences of the international economic and financial crisis are amplified for the developing countries. What is more, threats to international peace and security represent a major global problem, not to mention environmental and development challenges.

Madagascar believes that the central role of the United Nations in seeking viable solutions to the international economic and financial crisis that continues to affect the lives of millions of people in the world, especially the most vulnerable, must be reaffirmed.

The implementation of these solutions requires concerted and coordinated action by the international community, with the leadership of our Organization.

Our actions should be focused on national and international good governance, including financial sector reform through regulation of financial markets and combating corruption. It is high time for increased and more effective participation of developing countries in the decision-making process within the Bretton Woods institutions.

The economic and financial crises have direct repercussions on development financing, which is already subject to a chronic lack of resources for development.

In this regard, Madagascar recognizes that first and foremost, each country is responsible for its own economic and social development, and thus the necessity of national appropriations for capacity-building to attack economic and social issues with a direct impact on the people.

Nevertheless, it must be admitted that the promises and commitments regarding official development assistance, made at Monterrey and at the other summits, are far from being honoured. Furthermore, we appeal for the political will of all in reaching a swift conclusion of the Doha Round.

Madagascar welcomes the efforts and initiatives undertaken to find innovative sources of development financing. However, we are still far from the desired objectives, and the international community must further mobilize with a view to finding the necessary funds for greater aid predictability and sustainability.

Africa has borne the brunt of the successive crises of recent years. The African continent remains highly vulnerable and is far from achieving the Millennium Development Goals. I do not want to dwell excessively on the challenges, but allow me to share a few thoughts on the situation in Africa.

African Heads of State have been relentless in stressing the central role of agriculture in combating poverty and food insecurity in Africa. They have, inter alia, emphasized the need to extend arable land and modernize agriculture.

Seeking appropriate solutions to mitigate the impact of climate change on African agriculture in particular is vital in order to alleviate the food crisis.

On another level, energy is at the heart of development and no country can achieve economic independence without a well-defined energy policy. To that end, Madagascar plans to promote an integrated policy of available energy sources (renewable energy, exploitation of oil resources) in order to reduce energy dependence.

It goes without saying that improvement in basic socio-economic infrastructure, sanitation and access to drinking water, good water management, access to health-care services and quality education constitute the foundations of sustainable development.

For some time, there has been a development framework for the African countries outlining the needs and priorities based on the realities of the continent. The implementation of the New Partnership for Africa's Development strategic framework requires not only the efforts of the African countries themselves but also the support of the international community.

While African countries have made commitments to ensure their development, for example allocating at least 10 per cent of their budgets to agriculture, it must be acknowledged that Africa remains disadvantaged as far as official development

assistance is concerned. Therefore we have no choice but to appeal to the international community to honour its commitments if we really want Africa to achieve the Millennium Development Goals by 2015.

Environmental problems, which generally undermine global development efforts, and particularly in Africa, also require our Organization's leadership.

On the eve of the Cancun Conference on climate change, can we still afford to wait? Environmental degradation will not wait for us to be ready to deal with it.

Far from it, it is accelerating and brings in its wake lethal devastation and mass disruptions for both peoples and economies. The time for indecision and speeches is over, because time is running out.

There is no need to emphasize that climate change helps to aggravate the phenomenon of desertification and drought that lead to food insecurity in Madagascar, especially in the southern part of the island.

Each year, Madagascar falls victim to natural disasters destroying basic infrastructure and agricultural production among other things. The Malagasy Government has undertaken efforts in early warning and risk reduction and management, in cooperation with the regional and subregional organizations of which the country is a member. Furthermore, actions have been taken to promote capacity-building at both the local and national levels.

The major challenge to developing countries definitely remains the correlation among development, environmental protection and rational management of natural resources.

The principles and objectives of the United Nations on questions relating to international peace and security, as stipulated in the Charter at its creation, remain valid.

The international community is more active than ever on the question of disarmament in all its aspects. Numerous international summits and meetings have been devoted to it in order to find appropriate solutions.

Furthermore, the fight against terrorism requires concerted action and effective cooperation of all Member States at all levels with the goal of maintaining international peace and security. Terrorism has devastating effects, most especially in developing countries; maritime piracy in the Horn of Africa and its ramifications on the Indian Ocean is just one example, not to mention other subversive activities destabilizing the countries of the region, including drug trafficking and transnational organized crime. Is there any need to recall that poverty, if not the incubator, is one of the root causes of terrorism?

I call on all of us here, representatives of the international community, to take concerted action to strengthen regional and international cooperation for a coordinated response to these scourges.

In this Year for the Rapprochement of Cultures, it seems more essential than ever to support by all available means the creation or development of telecommunications and transportation infrastructure in developing countries, as well as facilitating access for all to information and new information and communications technologies. Only intercultural exchange and dialogue can reduce or even eliminate mutual misunderstandings and exclusion.

Along the same lines, I believe that it would be wise and fruitful to promote intercultural dialogue in all areas of international life, at a specific moment when we are seeking new models in order to face current global crises. For culture is the particular mark that each human society makes in all the facets of its existence: political, social, economic, etc. And innovations are borne out of encounters and fusion among the elements of our common heritage of cultural diversity.

I cannot conclude without expressing my warm thanks to all the international and regional organizations for their commendable and determined commitment to the resolution of the Malagasy political crisis through the International Contact Group. Currently, the process has entered a new and decisive phase where all the people of Madagascar must play their roles to the fullest extent: over a hundred political parties and associations as well as all civil society organizations and citizens, through their representatives, have come to agreement in multiple large-scale meetings, in particular during a national conference from 13 to 18 September 2010. The goal is to hold credible elections that are accepted by all the Malagasy people and recognized by the international community before the end of the first half of 2011, with a view to the establishment of a new Republic meeting the aspirations of the people and democratic norms.

Support and assistance from bilateral and multilateral partners for these internal Malagasy initiatives is earnestly requested, for Madagascar cannot wait any longer, and the 20 million Malagasy citizens, in particular the most vulnerable groups in society, lost a great deal during the 18 months of the crisis and could lose heart if they unfortunately had to wait even longer. I am sure that all of you here today, under the auspices of our common Organization, will be there for Madagascar as it traverses an obstacle course towards a better and more prosperous future.

It is my hope that more mutually beneficial relationships will be created among all the countries of the world and the United Nations for a safer, more just and peaceful world.

United Nations A/65/502

General Assembly

Distr.: General
11 October 2010
English
Original: French

Sixty-fifth session
Agenda item 86
The scope and application of the principle of universal jurisdiction

Letter dated 12 August 2010 from the Permanent Representative of Madagascar to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith the political agreement signed at Antananarivo by the different political parties on 9 August 2010 in order to resolve the crisis and permit the holding of free, credible, transparent and democratic elections in Madagascar.

I would appreciate it if you would have the aforementioned document circulated to all those concerned.

(*Signed*) Zina **Andrianarivelo-Razafy**
Permanent Representative

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Annex to the letter dated 12 August 2010 from the Permanent Representative of Madagascar to the United Nations addressed to the President of the General Assembly

Political agreement

Preamble

11 August 2010

Gathered at the Ivato International Conference Centre,

Determined, in the best interests of the nation, to work together and to join their efforts in the search for a crisis exit solution,

Acknowledging unanimously that the fact that Mr. Andry Nirina Rajoelina is not standing in the upcoming elections offers a complete guarantee of neutrality,

Resolved to end the transitional regime as soon as possible,

Convinced that the holding of free, credible, transparent and democratic elections is the only way to achieve this goal;

The signatories,

Mr. Andry Nirina Rajoelina, President of the High Transitional Authority,

and

The political parties and associations listed in the annex to the present agreement,

Agree as follows:

I. General principles

Article 1

This political agreement is guided by the following principles:

(a) The agreement may be modified as the inter-Malagasy dialogue progresses;

(b) The framework within which it is modified and its implementation through a "new inclusiveness" are grounded in the identity of each political party and based on an iterative, interactive, interdependent and accountable process that is open to the proposals of the various stakeholders, including:

- The population as a whole;
- The ray aman-dreny;
- Civil society;
- Economic stakeholders;
- All political parties and associations;
- The armed and security forces;
- Religious leaders;

– The media;

– The international community; and

– Members of the current Transitional Authority.

Article 2: Return to constitutional order

The political parties and associations have noted that the repeated crises that have arisen in Madagascar since 1972 have resulted from the lack of a broadly shared vision.

Accordingly, the political parties and associations, wishing to learn from the past, strongly confirm the need to draft a new constitution to mark the beginning of the Fourth Republic.

Article 3: Inclusion in the crisis exit process begun by civil society

In order to facilitate the inclusion of political parties and associations in the process begun by civil society, the latter must take into account the Manifesto of the Political Parties and Associations that the political parties have already submitted and, in addition, provide a firm timetable for the various steps in the processes.

Civil society must be supported by the international community with respect for the neutrality, impartiality and objectivity of the crisis exit process.

Civil society is invited to join the political parties and associations in establishing the terms of reference of the Fihaonambem-Pirenena.

Article 4: Adoption of the future Constitution

The main principles of the new Constitution shall be established by the Fihaonambem-Pirenena, based on the proposals made by the political parties and associations.

The draft or drafts of the Constitution shall be drawn up in accordance with the resolutions of the Fihaonambem-Pirenena and shall be put to a referendum.

This referendum must, however, be preceded by a broad public awareness-raising campaign.

Article 5: Elections: timetable and modalities

With a view to establishment of the institutions of the Fourth Republic, the political parties and associations agree to the holding of free, transparent and democratic elections on the following timetable:

– 30 August to 3 September 2010: holding of the Fihaonambem-Pirenena

– 17 November 2010: constitutional referendum

– 16 March 2011: legislative elections

– 4 May 2011: presidential election (first round).

Article 6: Suggested topics for discussion at the Fihaonambem-Pirenena

It is suggested that the Fihaonambem-Pirenena should discuss and propose resolutions on the following topics:

(a) The Constitution of the Fourth Republic (models and regimes);

(b) Amnesty;

(c) National reconciliation;

(d) The status of the opposition;

(e) The secularity of the State;

(f) Impunity;

(g) The High Court of Justice;

(h) Territorial division;

(i) Inclusiveness through respect for parity;

(j) Agreements aimed at combating insecurity; and

(k) Cultural identity.

Other important documents to be reviewed include:

(l) The Electoral Code;

(m) The Media Code;

(n) The Act on Competition; and

(o) The Act on Political Parties and Their Financing.

In a spirit of consensus and inclusiveness and with a view to their implementation, these resolutions, once adopted by the Fihaonambem-Pirenena, shall be the subject of draft legislation submitted to the Transitional Parliament.

Interaction with civil society, organizer of the Fihaonambem-Pirenena, must take into account:

- The way in which the delegates to this conference shall be selected;
- Political parties' access to the outcomes and summaries of the work of the Dinika Santatra; and
- The management of and methodology for the conferences.

II. Management of the transition

Article 7: Institutions and bodies

The institutions and bodies of the Transitional Authority are responsible for the proper functioning of the State.

7.1 Mr. Andry Nirina Rajoelina shall continue to exercise the functions of Transitional President until the President of the Fourth Republic is sworn in.

The Government shall be led by a Prime Minister to be appointed by the Transitional President from among the public figures proposed jointly by the political parties and associations.

The members of Government shall be appointed by the Transitional President, on the recommendation of the Prime Minister, from among the public figures selected and proposed by the signatory political parties and associations.

7.2 A Transitional Parliament, the members of which shall be appointed by the Transitional President, shall be installed. It shall consist of an upper chamber and a lower house.

The High Transitional Authority, transformed into a High Transitional Council, shall be expanded to include the public figures proposed by the signatory political parties and associations.

All the signatory political parties and associations shall be represented in the lower house, known as the Transitional Congress.

7.3 The High Constitutional Court, in its current form, shall continue to operate until the institutions of the Fourth Republic have been put in place.

7.4 The members of the National Independent Electoral Commission shall be confirmed in their posts, subject to any duly founded complaint from any of the organizations that proposed their appointment.

The number of representatives of political parties shall be increased.

7.5 The parties agree on the need to bring about national reconciliation. The National Reconciliation Committee, whose members shall include members of political parties and associations, civil society, religious groups and traditional societies, shall be established in accordance with the recommendations of the Fihaonambem-Pirenena. Its priority programmes of action shall be considered during the Fihaonambem-Pirenena.

7.6 Throughout the transition, no proceedings aimed at the impeachment or removal of the Transitional President, motion of censure against the Government or dissolution of the parliamentary assemblies may be instituted.

Article 8: Confidence-building measures

Proposed confidence-building measures, including the release of political prisoners, amnesty and reopening of the sanctioned media, shall be submitted to the competent authorities (Fihaonambem-Pirenena, the competent court and the two houses) for action, with adequate support measures to make social peace sustainable.

All political acts against the public order shall be prohibited. The parties undertake to abstain from any act of provocation.

Article 9: Duration of electoral campaigns

The signatory parties have agreed that the legislative and presidential election campaigns shall be of thirty (30) days' duration.

III. Final provisions

Article 10: Final provisions

This agreement, which shall enter into force on the date on which it is signed, shall remain open for signature by political parties and associations. The signatory parties undertake to implement and respect the provisions of this agreement.

Signed: André **Resampa**, representing the President of the High Transitional Authority, Mr. Andry Nirina **Rajoelina**

Political meeting of 9 August 2010

Ivato International Conference Centre

No.	List of participating political parties
1	ACEM
2	AFN-TZV
3	AJMJ
4	AKFM
5	AKFM Fanavaozana
6	Ampela Manao Politika
7	AMSM
8	Antoko Miombona Ezaka
9	ANTSO
10	Antson'ny Malagasy
11	Arema
12	Arema Matotra
13	Association XASIA
14	AVI
15	CAP
16	CDIM
17	Credo Mahajanga
18	DHD Madagasikara
19	ENINA
20	FAFI
21	Fanarenana
22	FIDEM
23	Fihavanatsika
24	FMV
25	FPFM
26	FRDL
27	GCNSD
28	GJEHE
29	GJEHR
30	GJMD
31	GLM

32 GRAD Iloafo

33 Hasin'i Madagasikara

34 Hasin'ny Fiarahamonina

35 HFSM

36 KMD

37 KOFA

38 LEADER-Fanilo

39 Liaraike

40 M.MA.MI

41 Madagasikarantsika

42 MAFI

43 Malagasy Mifanaja

44 Malagasy Mivondrona Mitolona

45 Malagasy Tonga Saina

46 MAMAFISOA

47 MAMI

48 MATSILO

49 MAYE

50 MCDM

51 MDM

52 Miharo Safiry (MISA)

53 MJIOFI

54 MTM

55 NATIORA

57 PDCM

58 PFM

59 PNJ

60 PRP

61 PSDUM

62 RAM

63 RCRDM

64 RDMMR

65 Reny Bezanozano Mandray Andraikitra

66 Rodobe Matsilo

67 RPM

68 RPN

69 RPSD

70 RPSD-Vaovao

71 SFDM

72 SO.FE.MA

73 Tamami

74 Tambatra

75 TGV

76 TIM

77 UJPM

78 USDM

79 VAM

80 VITM

81 VM

82 VVSV

83 Zanak'Antsiranana

84 Manolotsoa

85 Masters

86 GNC

87 AJED

88 UJPM

89 ITOTAAL

90 FDF

91 Adhem-Fizafa Madagascar

92 MRODM

94 FMA

United Nations A/65/503

General Assembly

Distr.: General
11 October 2010
English
Original: French

Sixty-fifth session
Agenda item 86
The scope and application of the principle of universal jurisdiction

Letter dated 17 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Madagascar to the United Nations addressed to the President of the General Assembly

Mr. President, I have the honour to transmit herewith the text of a memorandum in English from the High Transitional Authority of Madagascar regarding recent developments and new prospects pursuant to the political agreement signed on 13 August 2010 at Antananarivo among the various political parties, with a view to resolving the crisis and to organizing free, credible, open and democratic elections in Madagascar (see annex).

I should be grateful if you would arrange for the distribution of this document to those concerned.

(*Signed*) Modeste **Randrianarivony**
Deputy Permanent Representative
Chargé d'affaires a.i.

10-57513 (E) 181010 221010

Please recycle

Annex to the letter dated 17 August 2010 from the Chargé d'affaires a.i. of the Permanent Mission of Madagascar to the United Nations addressed to the President of the General Assembly

[Original: English]

Chapter one

New perspectives for a crisis exit

I. Origins of the new perspectives

The failure of the negotiations in Pretoria led the President of the High Transitional Authority to take his responsibilities to accelerate the process of solving the political crisis that has prevailed in Madagascar for 16 months now. Thus, His Excellency, Mr. Andry Nirina Rajoelina, in his speech addressed to the nation on 12 May 2010, solemnly declared that he would not be a candidate in the elections to be organized by the transition regime. This presidential commitment is aimed at guaranteeing the neutrality of the future elections, which constitutes the only democratic way to solve the actual crisis.

On 19 May 2010, the President also announced that he was no longer the Chief of the "mouvance Rajoelina". This decision simply marks the end of the concept of "mouvances".

These two fundamental decisions constitute the origin of these new perspectives to put an end to the crisis.

These new perspectives rest on four axes set out in the road map announced by the President at the time of his speech on 12 May 2010:

1. To promote the intra-Malagasy approach aimed at solving the crisis

2. To promote a globalized approach while allowing the participation of all vital forces of the nation, and therefore surpassing the concept of "four mouvances"

3. To promote recourse to the people's sovereign power through the organization of elections (constitutional referendum, legislative and presidential) within a reasonable time frame

4. To initiate the process of drafting the Constitution for the Fourth Republic through the organization of a national conference

In order to guarantee the neutrality of this process, the President invited civil society and the Committee of the Sages to coordinate the implementation of the new road map.

II. The creation of independent structures for the implementation of the new perspectives

In his declaration on 12 May 2010, President Andry Rajoelina launched a solemn call to all citizens, men and women of good will, politicians, all members of civil society, religious community, and armed forces to work together in terms of the initiatives that he proposed.

This call has reached out and led to the creation of two neutral and independent entities:

- The Committee of Sages (Ray aman-dreny mijoro).
- The National Coordination of the Organizations of Civil Society (CNOSC).

According to the founders, these two entities remain open to all personalities of goodwill, to all entities of civil society, without exclusion and without discrimination, who wish to bring their know-how and their experiences to help solve the crisis.

1. The "ray aman-dreny mijoro" (Committee of Sages)

The Committee is composed of personalities of goodwill from different horizons exercising no function in any institution of the transition.

This is how ex-presidents of institutions, Prime Ministers, members of the Government, members of the parliamentary Assemblies, general officers, the religious communities, academics, labour unions, leaders of civil society and traditional chiefs volunteered to bring their contribution to finding a solution to the crisis. Their main mission is to encourage a dialogue between the Malagasy political parties and to supervise the organization of the National Conference that will set the new bases for the Fourth Republic.

The Committee of Sages is currently led by an office presided by pastor Ramino Paul from the Madagascar Church of Jesus Christ, the former secretary general of the aforementioned Church. He was also the President of the "Constitution" commission during the national forum of 1992 that set the bases of the Third Republic.

The secretary general is a priest of the Roman Apostolic Catholic church.

The members of the bureau have been elected by the general assembly of the Committee of the Sages.

2. The coalition of the organizations of civil society (COSC)

The coalition of the organizations of civil society is the result of the unification of several associations of groupings of associations of civil society. At its origin, it was composed of 17 members; and the number of members has reached 30 on 30 June 2010.

The coalition is conducted by a coordinating bureau composed of seven members chosen together by the associations and groupings. The members of the coordinating bureau and the organization committee are independent personalities who do not exercise any State-controlled functions.

The main role of the coalition of the organizations of civil society is to implement the decisions set by the Committee of Sages and especially to organize the preliminary consultations and the national conference.

It is important to underline that the State only helps facilitate while remaining neutral in the organization of these consultations.

III. Actions to be undertaken

The actions are guided towards two directions:

- The organization of different consultations at the local and national levels (Dinika santatra, or preliminary meetings, and National Conference);
- The approach of the different political leaders and the entities of civil society to get their adherence to the process of resolution of the crisis so that the solution will be adopted unanimously and in a consensual manner.

The organization of different consultations at the local and national levels

In accordance with the decisions concluded unanimously by the Committee of Sages and the coalition of the organizations of civil society, two consultations aimed at collecting the propositions of crisis exit perspectives and on the main themes of the Constitution of the Fourth Republic must be organized.

1. The "Dinika Santatras" (preliminary dialogues)

The "Dinika Santatras", or preliminary dialogues, according to the promoters, who in this case are the Ray aman-dreny mijoro, or Committee of Sages, and the coalition of the organizations of civil society, involved populations in each of the 119 districts. The vision and the aspirations of these communities will be the root elements of the resolution of the crisis, as well as the recommendations for the future Constitution, which should be discussed at the "Fihaonambem-pirenena", or National Conference.

2. The National Conference

The National Conference is one of the main demands of all political actors of the nation for finding an adequate and durable solution to the Malagasy crisis. It will also constitute a process of dialogue and decision to set the major orientations of the Constitution of the Fourth Republic.

At present, civil society invites all political movements and all components of society to participate in this national consultation, which is an important stage in the resolution of the crisis.

The National Conference will be held in the capital from 30 August to 3 September 2010 and will be organized by civil society together with the Committee of the Sages, who will work cooperatively with political parties to determine the terms of reference of the National Conference.

IV. The Constitutional Consultative Committee

The ultimate objective of the transition regime is to establish the Fourth Republic. This requires the drafting and the adoption of a new Constitution. To this end, a Constitutional Consultative Committee was created.

The Constitutional Consultative Committee is composed of personalities from the academic or judicial world and experts in constitutional law and in administrative science. The members do not adhere to any political party.

The President of the Constitutional Consultative Committee is a magistrate, Mr. Florent Rakotoarisoa. He was a former High Counselor at the High Constitutional Court of Madagascar and is also an ex-ambassador of Madagascar in Canada.

According to decree No. 2010-273 of 12 May 2010, the role of the Constitutional Consultative Committee is to propose to the Government one or two draft constitutions.

To achieve its mission, the Constitutional Consultative Committee has already accomplished several tasks:

1. Collection and compilation of all pre-draft Constitutions and all constitutional studies prepared by political parties, entities of civil society and common citizens. On 30 June 2010, up to 320 drafts or studies had been submitted by the Committee

2. Audition of various political individuals having exercised the functions of chief of institutions under previous regimes: heads of State, Prime Ministers, Presidents of the Senate, Presidents of the National Assembly, Presidents of the High Constitutional Court

Audition of the leaders of political parties, labour union leaders, magistrates, different associations that prepared draft Constitutions or documents of reflection on guidelines for the future Constitution

3. Compilation of the results of the previous thematic workshops and national consultations organized since the establishment of the transition regime and even before this period (national dialogues, April 2009; national workshops, January, February and March 2010)

4. The writing of one or two draft Constitutions in the context of the National Conference, which will set the principal guidelines for the drafting of the new Constitution

5. Presentation of the draft Constitution(s) to the Government, which will decide on the definitive draft to be submitted to the referendum in accordance with the guidelines set by the National Conference

V. The role of the international community

The intra-Malagasy approach to find a solution to the crisis does not mean that the actual regime refuses the support of the international community in the process of a return to constitutional order. On the contrary, it is the wish of the current transitional authorities that the international community bring its support to the current process initiated by civil society and the political parties.

This support can be envisaged at different levels and in different domains.

1. Regarding the actions of the coalition of the organizations of civil society:

Some entities of civil society expressed their apprehension as to financing that comes from the State in order to sustain their independence. Incumbents of the transitional regime will not make any objection if the international community decides to give its support to the initiatives of the organizations of civil society.

2. Concerning the Independent National Electoral Commission and the Constitutional Consultative Committee:

According to the decrees on the Independent National Electoral Commission (CENI) and the Constitutional Consultative Committee, these organs can hire consultants who may be international or foreign experts. This possibility marks the will of the transition regime to agree to call on international expertise in the

organization of future electoral processes, as well as in the drafting of the new Constitution.

This is how the Constitutional Consultative Committee received professor Gaia, as a contributing expert from the International Organization of la Francophonie.

Likewise, the Independent National Electoral Commission had working sessions with European Senator Paul Wille.

3. With regard to elections:

The electoral code allows international observers to supervise the elections in Madagascar. Thus, the missions of international observers will be welcomed on the territory of the Republic, to follow up on the upcoming electoral operations.

Partial conclusion

The new perspectives for a crisis exit will be implemented according to the following steps:

1. Organization of the preliminary conferences or local conferences in each of the 119 districts

2. Organization of the National Conference, whose main mission is to define the principal guidelines for the new Constitution of the Fourth Republic and to debate important questions such as national reconciliation

3. Preparation of draft Constitution(s) by the Constitutional Consultative Committee

4. Organization of a referendum for the definitive adoption of the new Constitution

5. Organization of the first legislative elections of the Fourth Republic

6. Organization of presidential elections on the basis of the new Constitution

The political situation in Madagascar has also evolved since the beginning of the dialogue between President Rajoelina and the Malagasy political parties.

Chapter two

I. Recent developments in the process of resolving the crisis

1. Preliminary dialogues

The Committee of Sages and the coalition of the organizations of civil society organized preliminary dialogues, held in each of the 119 districts of Madagascar on 28, 29, 30 and 31 July 2010.

These consultations involved a large part of the vital forces of the nation, with the adherence of several political parties. The participants expressed their opinions freely. Thus, several propositions and recommendations have been collected and will be submitted to the National Conference, a process of decision that will be held

from 30 August to 3 September 2010. According to the numbers reported by the organizational committee, 28,000 people participated in these preliminary dialogues.

According to the information gathered by the Committee of Sages and the coalition of the organizations of civil society, questions were asked regarding the following:

- Determine a setting for the success of the transition while taking into account the realities in the field.
- Define a road map for the transition.
- Establish clear rules accepted by all political forces for the organization of free, transparent and elections monitored in accordance with international expectations.
- Determine the main principles that will guide the drafting of the new Constitution for the Fourth Republic.
- Specify the process and the concrete modes of the implementation of national reconciliation.

2. The National Coordination of the Organizations of Civil Society

The two main organizations of civil society, the alliance of the organizations of civil society, which is favourable to the application of the Maputo Agreements, and the coalition of the organizations of civil society, initiator of the preliminary dialogues with the Ray aman-dreny mijoro (Committee of Sages) instituted the National Coordination of the Organization of Civil Society (CNOSC). According to their declaration, the entities of civil society give themselves, through this common organ, the means to participate actively in the mediation effort between the protagonists in the political crisis. In this manner, they are also able to contribute efficiently to the steps towards the renewal of the Republic.

A partnership agreement was reached between these two main entities of civil society. According to this agreement, the main mission of the National Coordination of the Organizations of Civil Society is to assume the mediation for a consensual solution to the crisis towards the renewal of Republic. CNOSC is composed of seven titular members and a substitute designated by and representing the founding organizations.

For the alliance of the organizations of civil society, the representatives are:

- Lalao Randriamampionona, titular
- Noro Andriamamonjiarison, titular
- Serge Zafimahova, titular

For the coalition of the organizations of civil society, the representatives are:

- Aristide Velompanahy, titular
- José Rakotomavo, titular
- André Rasolo, titular

For KMF/CNOE, the representatives are:

- Ernest Razafindraibe, titular
- Voshangy Raveloson, substitute

The values of CNOSC are:

- To keep the cohesion and the unity of the group of the organizations of civil society, initiators of the process
- Neutrality and impartiality throughout the process vis-à-vis the current power holders, political movements and all other stakeholders
- The solemn commitment of the members of CNOSC not to exercise any function within the executive branch of the new transition
- The independence of CNOSC, especially vis-à-vis its stakeholders.

3. The birth of a new dialogue framework for political parties

The dialogue framework was set up by the initiatives of political parties, aware of the importance of finding a solution to put an end to the crisis. In the beginning, it has only nine members, but currently the framework has welcomed the adherence of more than 50 parties and political associations known nationwide.

The idea of a dialogue framework of the political parties came up when two groups of political leaders joined together to exchange information. These political leaders then realized that they had a few goals in common:

- To find a solution to the actual crisis
- To preserve the supreme interest of the nation

Consequently, they decided to continue their meeting and discussions in order to come up with a political agreement.

The first meeting of the political parties' dialogue framework was held on 15 July 2010 and involved 28 political parties, including parties supporting the current regime and those on the opposition side, such as the TIM party of the ex-president of the Republic, Marc Ravalomanana, represented by its co-founder, Mr. Raharinaivo Andrianantoandro.

On 3 August 2010, these political leaders reached a minima agreement. The main points of this agreement are:

- President of the transition: Andry Rajoelina
- Establishment of a Government of National Unity
- The extended and inclusive High Transitional Authority will be the parliament of the Transition
- Reconstitution of CENI and the High Constitutional Court

The members of the dialogue framework announced that they would not interfere in the roles of the Committee of Sages and civil society. Nevertheless, they are convinced that the crisis that currently prevails in the country is the result of the actions of the politicians. Thus, it should be the politicians' task to find a solution to bring the country out of the current political impasse in respect of the supreme interest of the nation.

II. Reconciliation of President Andry Nirina Rajoelina with the dialogue framework

The minima agreement was presented to His Excellency the President of the High Transitional Authority on Friday, 6 August 2010, at the State palace of Iavoloha.

During this meeting, President Andry Nirina Rajoelina declared that he was not against this praiseworthy initiative of the political parties and that he was prepared to conclude an agreement in this sense. However, he made it clear that the negotiations should first be centred on the setting up of the electoral calendar. With respect to the wish of the population to have leaders of their choice, the current regime made a priority the organization of just, equitable, free and transparent elections. Only democratic elections can be considered as the best solution to the actual crisis. He also proposed a round table convening all political parties and representatives of the current regime with the aim of concluding a political agreement at that time.

The meeting took place from 9 to 11 August at the International Conference Center of Ivato. It convened more than 80 political parties.

Discussions were based mainly on the imperative need to establish an electoral calendar and the minima agreement drafted by the members of the political parties' dialogue framework.

This political meeting ended with the signature of a political agreement between the political parties and the actual power holders. This agreement marks an important stage in the resolution of the crisis because it is the first agreement within the framework of the intra-Malagasy process.

The signing ceremony took place on Friday, 13 August 2010; the agreement had already been initialled by several political parties and associations on Wednesday, 11 August 2010.

III. The political agreement: associated political parties and the present regime

All parties and political associations signatories to the political agreement affirmed unanimously that the non-candidacy of Mr. Andry Nirina Rajoelina, President of the High Transitional Authority, in the upcoming elections offered every guarantee of neutrality on the management of the transition and the organization of future elections.

Stakeholders of the agreement are also unanimous as to the necessity to put an end as soon as possible to the transition, and that free, credible, transparent and democratic elections remained the only unavoidable way to attain this objective.

Thus, the political agreement signed by the political parties and the leaders of the transition on 13 August 2010 includes the two critical points:

- The establishment of a concerted electoral calendar
- The setting up of a governance of national unity and a government of national unity

A. The establishment of a concerted electoral calendar

All participants in the political meeting at Ivato affirmed the need to organize elections as soon as possible to allow the sovereign people to express their choice.

From then on, the political parties decided unanimously that elections would be held according to the following imperative deadlines:

–17 November 2010: constitutional referendum

–16 March 2011: legislative elections

–4 May 2011: presidential elections

This electoral road map will allow Madagascar to have an elected President by 26 June 2011, national independence day.

B. National Unity Governance

The new political agreement is not based on the concept of "mouvances". It is rather based on a "new inclusiveness" rooted in the identity of every political party. It also took in account propositions from different stakeholders in the process of solving the crisis: the general public, the sages, economic investors, the army and security forces, current power holders, etc.

1. Managing the transition

1.1 Mr. Andry Nirina Rajoelina reconfirmed as being the President of the transition and Chief of State

One of the important points of this political agreement is the acknowledgment by all parties and political associations that Mr. Andry Nirina Rajoelina continues to exercise the functions of President of the transition until the investiture of the first elected President of the Fourth Republic. It is important to underline that some political parties such as the TIM were strongly opposed to the actual regime. This consensus marks an important stage in the normalization of the situation and the return of social peace in Madagascar, because it lowers the risks of conflict that characterized the transitional period.

The "new inclusiveness" also induces the co-responsibility of the political parties and those who are currently in power in the management of State affairs during the period before the elections.

The agreement then brings up several points interpreting the establishment of "a national unity governance".

1.2 Government of National Unity

The Government will be led by a Prime Minister appointed by the President of the transition from among qualified individuals proposed in a concerted manner by the political parties. Members of the Government are appointed by the President upon the Prime Minister's proposition among the chosen qualified individuals presented by the political parties. These appointment mechanisms bring close together political parties in the formation of the new Government.

1.3 Transition Parliament

The future Parliament of the transition will be bicameral: the High Council of the Transition and the Congress. The legislative organ of the transition will reflect the diversity of the political actors of Madagascar.

The High Authority of the actual transition will be transformed into the High Council of the Transition and will be open to qualified individuals presented by the political parties and associations that signed the political agreement. All signatory political parties and associations will be represented in the Congress. The principal mission of the Parliament is to debate and to adopt legislative texts on several important points to examine during the Transition, such as the amnesty, the law on political parties, and possible improvements to the electoral code.

The other State institutions, such as the High Constitutional Court and the Independent National Electoral Commission, remain in their actual status. On the other hand, the representativeness of political parties within CENI will be reinforced.

2. Adherence to the process initiated by civil society and participation at the National Conference

The political agreement shows the political parties' willingness to adhere to the initiatives of civil society in the process of finding a solution to the crisis. However, it exhorts civil society to respect neutrality and impartiality in conducting the mediation.

The political agreement does not hinder the holding of the National Conference. Nevertheless, the signatories invite civil society to define, with the political parties and associations, the terms of reference for the National Conference. The agreement proposes some themes to debate during this fundamental convention as well as the methodology that will guarantee the success of these undertakings.

It is therefore proposed that the National Conference debate and submit some resolutions on several themes, including:

(a) The Constitution of the Fourth Republic (types and regimes);

(b) The amnesty;

(c) National reconciliation;

(d) The statute of the opposition;

(e) The secularism of the State;

(f) Impunity;

(g) The High Judicial court;

(h) Territorial carving;

(i) Inclusiveness with respect to parity;

(j) The conventions to solve insecurity.

Other important texts to be reviewed include:

(a) The electoral code;

(b) The code of communication;

(c) The law on the trade competition;

(d) The law on political parties and their financing.

With regard to the Constitution and the amnesty, these two points are primordial to bringing the country out of crisis. It is therefore up to the National Conference to determine the guidelines for drafting the new Constitution and to set bases for the amnesty law.

3. National reconciliation

The signatory parties reaffirmed the necessity for the national reconciliation to be implemented. A National Reconciliation Committee will be created after the National Conference, which will define its action plans.

In this particular regard, appeasement measures such as the freeing of individuals jailed for political reasons, the amnesty and the reopening of censured medias will be submitted to deliberating instances (National Conference, competent jurisdiction, the Parliament of the transition). The Transition authorities commit to respecting and will apply the decisions adopted by these instances.

4. Adherence to the political agreement

The agreement enters into effect on the date of its signature and remains open for adherence to all political parties and associations that participated in the negotiations of 9 to 11 August 2010.

The signature of the political agreement between the political parties and the actual regime is an important step towards the resolution of the present crisis. It marks the willingness of a large part of the Malagasy society to move forward and bring an end to this political conflict. It also demonstrates through facts the awareness of the political actors as to the imperative need to rely on the fundamental values of our society, namely, solidarity and dialogue.

IV. A historic date: 13 August 2010

The signing ceremony for the political agreement took place at the International Conference Centre of Ivato. All vital forces of the nation, administrative bodies such as the armed services, the judiciary and civil administrators attended the ceremony. Diplomatic representatives of foreign countries including Senegal, Spain, Turkey and France also attended this historic event. In sum, around 1,500 people came to the International Conference Centre to witness and support this memorable event that will shape the future of the nation.

This date is also historic because it marks the willingness of Malagasy politicians to overcome their differences and their antagonism in respect to the superior interest of the nation, while reinforcing cohesion and national solidarity which have become fragile since the beginning of the crisis. Indeed, the most prominent image of this day is the example that has been shown by the TIM (ex-President Marc Ravalomanana's party) spokesperson, Mr. Raharinaivo Andrianantoandro. He was, in fact, the only member of the bureau of this party that led the opposition movement against the transition regime since the beginning of the crisis.

This primary leader of the TIM party has been designated by the Dialogue Framework to read the declaration of the political parties. In his speech, he made a vibrant call to the political class in general and to the people to unite their strengths and work together to bring the country out of the crisis. He also called the three

former Chiefs of State to follow the way of reconciliation opened by the signatories of the agreement. It is also important to note that about 40 parliamentarians of the TIM party were present at the time of the ceremony, thus proving the leadership of the party's spokesperson.

Moreover, most of the political parties signatories to this agreement include political parties that presented candidates in the last presidential election of 2006. These parties were also the most active ones that have animated political life for the past five years, such as the AVI of the former Chief of State and Government Norbert Lala Ratsirahonana, the TIM of ex-President Marc Ravalomanana, the AKFM-Fanavaozana of the former Vice Prime Minister for Foreign Affairs, Ny Hasina Andriamanjato, Leader-Fanilo of the late Herizo Razafimahaleo, the PSDUM of the ex-President of the National Assembly Jean Lahaniriko, and the MTS of the former Mayor of Tamatave Roland Ratsiraka. The parties that have already announced their candidates in the upcoming elections also affixed their signatures: the MDM of the former Vice Prime Minister Pierrot Rajaonarivelo, the Mamafisoa of the ex-President of the Senate Rajemison Rakotomaharo, and the RPM of the ex-minister and deputy Gilbert Raharizatovo. The political association created by Mr. Andry Nirina Rajoelina at the time of his candidacy for mayor in the capital also signed the agreement.

To conclude, the signatories to this political agreement have already begun to approach the parties and those who have not signed yet. A meeting was held with Mr. Fetison Rakoto Andrianirina of the Ravalomanana "mouvance" to explain to him the process initiated by the dialogue framework. Besides, this opening of the agreement to the other political movements constitutes the priority henceforth for the signatories.

Conclusion

At the date of writing of the present memorandum, it is allowed to declare that the intra-Malagasy process of solving the crisis is definitely engaged and is on the right track.

Support or simply encouragement from the international community will be a strong signal that will permit to move forward quickly towards the adherence of all political actors to the process. In any case, it is noted that at present, a large majority of the political parties having a significant weight on the electoral plan are highly supportive of the political agreement.

United Nations A/65/504

General Assembly

Distr.: General
12 October 2010

English
Original: Spanish

Sixty-fifth session
Agenda item 45
Question of the Falkland Islands (Malvinas)

Letter dated 11 October 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a copy of the letter of protest of 9 October 2010 submitted by the Argentine Government to the United Kingdom of Great Britain and Northern Ireland in relation to that country's announced intent to fire missiles from the territory of the Malvinas Islands (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45 concerning the question of the Malvinas Islands.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

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Annex to the letter dated 11 October 2010 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

The Ministry of Foreign Affairs, International Trade and Worship is addressing this letter to the Embassy of the United Kingdom of Great Britain and Northern Ireland in reference to the communication which the Naval Hydrography Service of the Argentine Republic received from British military forces on 8 October 2010, announcing plans to fire missiles from the territory of the Malvinas Islands.

The Argentine Government protests, in the firmest and most vigorous terms, the intent to conduct this military exercise and demands that the British Government refrain from carrying it out.

The Argentine Government rejects the conduct of such exercises as an unacceptable provocation conducive to an arms race in the region, which is in direct contradiction to the Argentine policy of consistently seeking a peaceful solution to the dispute, as urged by the international community.

The Argentine Government reaffirms that the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas are an integral part of the national territory of the Argentine Republic and that, owing to their illegitimate occupation by the United Kingdom of Great Britain and Northern Ireland, they are the object of a sovereignty dispute between the two countries, as recognized by the United Nations and other international organizations.

The aforementioned exercises are incompatible with the object and purpose of the bilateral understandings between the two countries on military confidence-building measures, and represent one more in the long list of unilateral actions that the United Kingdom of Great Britain and Northern Ireland has carried out in contravention of United Nations General Assembly resolution 31/49.

The Argentine Government reaffirms its sovereignty rights over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, which are part of its national territory.

This new British provocation, which reflects the persistent, inexplicable failure of the United Kingdom of Great Britain and Northern Ireland to respect the decisions of the international community, will be reported to the Secretaries-General of the United Nations, the Organization of American States and the Union of South American Nations, and to the States members of those organizations.

Buenos Aires, 9 October 2010

United Nations A/65/505

General Assembly

Distr.: General
12 October 2010

Original: English

Sixty-fifth session
Agenda items 9 and 129

Report of the Economic and Social Council

Programme budget for the biennium 2010-2011

Revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2010

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council at its substantive session of 2010 (A/65/319). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information.

2. As indicated in the report of the Secretary-General, the additional requirements arising as a result of the resolutions and decisions adopted by the Council at its substantive session are estimated at $34,100 under the regular budget, all of which could be absorbed within the resources provided under the programme budget for the biennium 2010-2011. Requirements for the next biennium are proposed to be addressed in the context of the proposed programme budget for 2012-2013. The additional requirements relate to: (a) the extension of the mandate of the Ad Hoc Advisory Group on Haiti until the substantive session of the Economic and Social Council in 2012 (resolution 2010/28); and (b) the realignment of the functions of the United Nations Office on Drugs and Crime and changes to the strategic framework (resolutions 2010/17 and 2010/21).

3. As indicated in paragraphs 5 to 7 of the report of the Secretary-General, an estimated $34,100 would be required to support the activities of the Ad Hoc Advisory Group on Haiti under operative paragraphs 13 to 18 of resolution 2010/28. This amount comprises: (a) $31,600 for travel, daily subsistence allowance and terminal expenses for all members of the Group and one staff member of the Department of Economic and Social Affairs to conduct a consultation meeting with the Bretton Woods institutions in Washington, D.C., in February 2011 and to

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undertake a mission to Haiti in April 2011; and (b) $2,500 for support service requirements in Haiti. These requirements are proposed to be met from within the resources approved for section 9, Economic and social affairs, of the programme budget for 2010-2011.

4. Concerning the realignment of the functions of the United Nations Office on Drugs and Crime, as indicated in paragraphs 10 and 11 of the report of the Secretary-General, it is proposed to establish an independent evaluation unit in the Office of the Executive Director in response to the terms of operative paragraphs 6, 7 and 13 of resolutions 2010/17 and 2010/21. The unit would be funded partly through redeployment of existing regular budget resources and partly through voluntary contributions. The Secretary-General states that the effective functioning of the unit would require a staffing component of 6 posts, comprising one P-5 post for the chief of the unit, to be provided through redeployment of a vacant regular budget P-5 post (Chief, Strategic Planning Unit) from subprogramme 2, Policy and trend analysis, of section 16, International drug control, crime and terrorism prevention and criminal justice, and five other posts to be funded through voluntary contributions. The Advisory Committee notes that complementary extrabudgetary funds will continue to be sought to cover requirements for the evaluation function in 2010-2011. Requirements for the next biennium under section 16, International drug control, crime and terrorism prevention and criminal justice, will be reviewed in the context of the preparation of the proposed programme budget for 2012-2013. As a consequence of the redeployment of the P-5 post to the Independent Evaluation Unit, the Strategic Planning Unit would be funded solely through voluntary contributions.

5. **The action required of the General Assembly is set out in paragraphs 15 to 17 of the report of the Secretary-General. The Advisory Committee has no objection to the course of action proposed by the Secretary-General in paragraphs 15 and 16 of the report. It recommends that the Assembly approve the proposal of the Secretary-General in paragraph 17 for the redeployment of one regular budget P-5 post of Chief, Strategic Planning Unit, from subprogramme 2, Policy and trend analysis, to executive direction and management, as Chief, Independent Evaluation Unit, under section 16, International drug control, crime and terrorism prevention and criminal justice.**

United Nations A/65/506

General Assembly

Distr.: General
12 October 2010

Original: English

Sixty-fifth session
Agenda item 129
Programme budget for the biennium 2010-2011

Revised estimates under section 23, Human rights, of the programme budget for the biennium 2010-2011, resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on revised estimates resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities (A/65/400). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. The proposals of the Secretary-General relate to additional resource requirements resulting from the increase in the membership of the Committee on the Rights of Persons with Disabilities by 6 members, from 12 to 18 members, in accordance with paragraph 2 of article 34 of the Convention on the Rights of Persons with Disabilities, which stipulates that the membership of the Committee will increase by 6 members after the Convention has been ratified by 80 States parties. As indicated in paragraphs 2 and 12 of the report, the number of States parties to the Convention had grown to 46 and 76 at the end of 2008 and 2009 respectively, and stood at 94 as at 29 September 2010. Given that States parties are expected to submit a report within two years of signing the Convention, it is expected that 46 State party reports will be submitted by the end of 2010, another 30 by the end of 2011, and a further 14 reports towards the end of 2012. It is anticipated that additional meeting time for the Committee may be required in the near future to deal with the increased workload.

3. The additional requirements resulting from the increase in the membership of the Committee are estimated as follows:

(a) $321,500 for the biennium 2010-2011 under section 23, Human rights, and $10,600 under section 35, Staff assessment, offset by an equivalent amount

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under income section 1. The Secretary-General proposes to meet an estimated amount of $12,400 from within the approved appropriations under Section 23, Human rights, and the remainder ($309,100) from the provisions of the contingency fund for the biennium 2010-2011. The net additional resources of $309,100 would provide for travel requirements for the new members of the Committee ($127,300) and for their assistants ($90,900), as well as for an additional P-3 post in 2011 ($90,900) to assist the Committee with the examination of reports of State parties;

(b) $946,600 for the biennium 2012-2013, to be considered within the context of the proposed programme budget for the biennium 2012-2013.

4. **The Advisory Committee has no objection to the course of action proposed by the Secretary-General in paragraph 39 of his report.**

United Nations A/65/507

General Assembly

Distr.: General
13 October 2010

Original: English

Sixty-fifth session
Agenda item 129
Programme budget for the biennium 2010-2011

After-service health insurance: medical and dental reserve funds

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on after-service health insurance: medical and dental reserve funds (A/65/342). During its consideration of the report, the Advisory Committee met with the representatives of the Secretary-General, who provided additional information.

2. The report of the Secretary-General was submitted pursuant to section XI of General Assembly resolution 64/245, in which the Assembly decided to revert to the issue of the 83.1 million dollars from the medical and dental reserve funds included in the proposal of the Secretary-General on liabilities and proposed funding for after-service health insurance benefits (A/64/366), and requested the Secretary-General to provide the Assembly at its sixty-fifth session with information on the composition of those reserve funds.

3. The above-mentioned report of the Secretary-General reviewed issues related to current and future liabilities, including the advantages and disadvantages of the current pay-as-you-go financing approach versus partial or full funding for the after-service health insurance benefits. Of the three funding alternatives proposed, the Secretary-General recommended funding alternative 3, which would require an initial infusion of funds into an independent segregated after-service health insurance reserve fund to begin to meet long-term funding goals (A/64/366, para. 64). For that purpose, the Secretary-General proposed the one-time transfer of a total of $425 million (ibid., para. 69), comprising:

(a) The transfer of $290 million from unencumbered balances and miscellaneous income from the financial period 2008/09 under peacekeeping operations;

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(b) The transfer of $135 million from existing reserve funds as follows:

(i) $51.9 million from the compensation reserve fund;

(ii) $83.1 million from the medical and dental reserves.

4. At the time of its consideration of the above-mentioned proposal, the Advisory Committee recommended against the transfer of $290 million from unencumbered balances from peacekeeping budgets for the 2008/09 financial period. However, in the light of the assurance by the Secretary-General that the transfer of $51.9 million from the compensation reserve fund and $83.1 million from the medical and dental reserves would not endanger those reserves, the Committee had no objection to the transfer of those amounts to the independent segregated special account approved by the General Assembly (A/64/7/Add.4, para. 31). The Committee's other comments and recommendations regarding the proposals by the Secretary-General on after-service health insurance benefits are contained in paragraphs 28 to 33 of its report (ibid.).

5. In addition to the issue of the $83.1 million from the medical and dental reserve funds, the Advisory Committee notes that the General Assembly, in its resolution 64/241 (para. 3), requested the Secretary-General to submit to it, at its sixty-seventh session, for its priority consideration, a report on managing after-service health insurance liabilities, bearing in mind that the pay-as-you-go principle is also one of the viable options.

II. Health insurance reserve funds

6. In his report to the General Assembly, the Secretary-General described the purpose, management and funding of health insurance reserve funds (A/65/342, paras. 4-6), which are summarized below:

(a) The funds serve essentially as premium stabilization reserves for each of the Organization's self-insured health plans in order to manage large fluctuations in premium requirements;

(b) The management of the reserve funds have been maintained in accordance with prudent financial practices, taking into account insurance industry standards which provide that the reserves should be equivalent to about 3 to 4 months of claims;

(c) At Headquarters and at designated duty stations away from Headquarters, contributions to the United Nations various health insurance plans are made from assessed and extrabudgetary funds and the contributors to these plans include (i) staff and retirees, and (ii) the United Nations and other participating entities of the common system primarily the United Nations Development Programme, the United Nations Population Fund, the United Nations Office for Project Services and the United Nations Children's Fund.

7. The Secretary-General explained that it was not possible to accurately allocate the health insurance reserve fund accumulations among the individual funding resources due to the reasons set out in paragraph 7 of his report, including the following:

(a) Staff of all fund types have participated in the plans at various weightings over time;

(b) Health insurance data have not been, and are not, maintained by funding source;

(c) Reserve accumulations have differed from year to year and from plan to plan, with staff and retirees having at times moved their coverage between the available plans owing to changes in their duty station or residence or for other reasons;

(d) Staff have transferred employment between the United Nations and the funds and programmes while continuing their coverage under the health plans administered by Headquarters.

8. Since the primary purpose of the insurance reserve funds is for premium stabilization, the Secretary-General stated that the reserves, by their very nature, are applied to existing plan contributors in accordance with current sources of funding. For that reason, the United Nations uses a "premium holiday" to periodically distribute excess reserve amounts to all funding sources on the basis of current plan participant data. This has been and continues to be considered the most equitable means of returning excess health insurance reserve funds to all the funding sources (A/65/342, para. 8).

III. Composition of the $83.1 million from the health insurance reserve funds

9. Given the lack of a more accurate allocation process, the Secretary-General indicated in his report that the use of a premium holiday is considered the best approach for determining the composition of health insurance reserve accumulations (A/65/342, para. 9). An estimated composition of the $83.1 million from the reserve funds across funding sources is provided in the annex to his report. The Advisory Committee notes from the annex that, of the total of $83.1 million, the shares from the contributions by the staff and retirees and the Organization amount to $24.1 million and $59 million, respectively.

10. In this connection, the Advisory Committee further notes that, while it was proposed to transfer the $83.1 million from the health insurance reserves into an independent segregated after-service health insurance reserve fund (see A/64/366 and para. 3 above), in the report of the Secretary-General it was indicated that it is now contemplated that the "premium holiday" approach should be used to return a part of the $83.1 million portion of the health insurance reserve funds to the various funding sources before the end of 2010 (A/65/342, para. 8). The Committee notes, however, that the report does not provide detailed information in this regard.

11. With respect to the question of returning a share of the health insurance reserve accumulations to Member States directly, rather than through the mechanism of a premium holiday, the Advisory Committee was informed that this was technically possible. The benefit of the premium holiday was, however, that contributions were returned to staff and Member States concurrently. Should contributions be returned to Member States directly, a modality for the return of the related staff contributions would need to be developed.

12. Upon enquiry, the Advisory Committee was informed that the total reserve balances, compared with the balances of $225.487 million as at 31 December 2008, had increased to $230.134 million as at 31 December 2009. The Committee was

provided with a table on health insurance reserve balances, including principal balance and income as at 31 December 2009, and the proposed transfer of the $83.1 million portion of the reserve as a percentage of the balance under each plan. The table is reproduced below:

(In millions of United States dollars)

		Reserve components		Transfer proposed in document A/64/366	
Health plan	Reserve balances as at 31 December 2009	Principal balance	Income 1996-2009	Proposed transfer	Transfer as a percentage of reserve balance
Medical Insurance Plan	66.110	49.155	16.955	35.000	52.94
Plans administered by United Nations Headquarters:					
Cigna	11.412	9.836	1.576	1.400	12.27
Empire Blue Cross	12.841	2.800	10.041	0.000	0.00
Aetna	83.951	49.182	34.769	32.700	38.93
Van Breda	55.820	40.597	15.223	14.000	25.08
Subtotal	**164.024**	**102.415**	**61.609**	**48.100**	29.32
Total	**230.134**	**151.570**	**78.564**	**83.100**	36.11

As is shown in the table above and in the report of the Secretary-General (A/65/342, para. 9), the amount of $83.1 million does not include any portion of the Empire Blue Cross reserve owing to the very low level of that reserve.

13. Upon enquiry, the Advisory Committee was also provided with information on the reserve balances as at 31 December 2009, both with and without the $83.1 million, and the value of the reserve balances, expressed in months of plan costs, as follows:

(In millions of United States dollars)

Health plan	Reserve balances as at 31 December 2009	Composition of $83.1	Balance without $83.1	Average monthly cost	Balance without $83.1 as months of plan cost (projected expenditures for 2010)
Medical Insurance Plan	66.110	35.000	31.110	1.086	28.65
Plans administered by United Nations Headquarters:					
Cigna	11.412	1.400	10.012	1.501	6.67
Empire Blue Cross	12.841	0.000	12.841	8.696	1.48
Aetna	83.951	32.700	51.251	6.742	7.6
Van Breda	55.820	14.000	41.820	6.065	6.9
Subtotal	**164.024**	**48.100**	**115.924**		
Total	**230.134**	**83.100**	**147.034**		

14. The Advisory Committee notes, from the table above, a considerable discrepancy in the reserve balances of the plans. The table indicates that even after a distribution of the $83.1 million, the reserves would vary from a high of 28.65 months of costs for the Medical Insurance Plan to a low of 1.48 months for Empire Blue Cross. The Committee was informed that, while the insurance industry benchmark for health insurance plans based in the United States of America was to maintain reserves equal to 3 to 4 months of claims, it was prudent for self-funded plans to maintain larger balances equivalent to about 6 to 7 months of claims. To maintain balances at this higher level made it possible to keep premium levels reasonably stable and to adequately cover expected claims while providing for the decrement in coverage value of the reserves arising from inevitable annual increases in the cost and utilization of medical services.

15. The Advisory Committee notes the considerably higher level of reserve balance, in terms of months of claim costs, for the Medical Insurance Plan for Locally Recruited Staff at Designated Duty Stations Away from Headquarters. The Committee was informed, upon enquiry, that the increase in the reserves of the Medical Insurance Plan within the past five years was chiefly attributable to the sharp increase in the number of participants in several field missions where the loss ratio, namely claims expenditures versus premium collections, was particularly low. The Committee was also informed that the Secretariat, along with the funds and programmes, was in the process of conducting an overall review of the Medical Insurance Plan with a view to updating coverage levels and harmonizing the provisions among the United Nations entities. It was anticipated that the results might have an impact on the reserves, although they would not significantly reduce the reserve balances in the short-term.

16. **The Advisory Committee, noting the significant variation in the levels of reserve balances maintained for the United Nations health insurance plans, is of the view that efforts should be made to establish guidelines to ensure greater consistency in this regard.**

United Nations A/65/507*

General Assembly

Distr.: General
13 October 2010

Original: English

Sixty-fifth session
Agenda item 129
Programme budget for the biennium 2010-2011

After-service health insurance: medical and dental reserve funds

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I. Introduction

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* Reissued for technical reasons on 15 October 2010.

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(a) The transfer of $290 million from unencumbered balances and miscellaneous income from the financial period 2008/09 under peacekeeping operations;

(b) The transfer of $135 million from existing reserve funds as follows:

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4. At the time of its consideration of the above-mentioned proposal, the Advisory Committee recommended against the transfer of $290 million from unencumbered balances from peacekeeping budgets for the 2008/09 financial period. However, in the light of the assurance by the Secretary-General that the transfer of $51.9 million from the compensation reserve fund and $83.1 million from the medical and dental reserves would not endanger those reserves, the Committee had no objection to the transfer of those amounts to the independent segregated special account approved by the General Assembly (A/64/7/Add.4, para. 31). The Committee's other comments and recommendations regarding the proposals by the Secretary-General on after-service health insurance benefits are contained in paragraphs 28 to 33 of its report (ibid.).

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(In millions of United States dollars)

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United Nations

A/65/508

General Assembly

Distr.: General
14 October 2010
English
Original: French

Sixty-fifth session
Agenda item 115
Follow-up to the outcome of the Millennium Summit

Letter dated 27 September 2010 from the Permanent Observer of the African Union to the United Nations addressed to the President of the General Assembly

I have the honour to transmit herewith the statement of the Chairperson of the African Union Commission, Jean Ping, at the General Assembly high-level plenary meeting on the Millennium Development Goals (see annex).

I should be grateful if the text of the statement could be circulated as a document of the General Assembly.

(*Signed*) Tete **Antonio**
Permanent Observer

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Annex to the letter dated 27 September 2010 from the Permanent Observer of the African Union to the United Nations addressed to the President of the General Assembly

[Original: French]

Statement by His Excellency Mr. Jean Ping, Chairperson of the African Union Commission at the General Assembly High-level Plenary Meeting on the Millennium Development Goals

It is a tremendous honour and a great privilege for me to take the floor this afternoon in this august assembly. I should like to start by thanking the United Nations for having organized this high-level plenary meeting in order to review the progress made and the challenges that lie ahead as we implement the Millennium Development Goals which were adopted in 2000, at the Millennium Summit, as part of the commitment to "spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty".

As my contribution to this high-level meeting I should like to talk to you about the progress the African continent has made towards achieving the Millennium Development Goals — what we have done, the local solutions we have found, the engines for growth and the challenges that lie ahead as we move towards development in the continent.

This meeting is of the utmost importance, for it is taking place as we near the tenth anniversary of the adoption of the Millennium Development Goals, five years before the 2015 deadline, at a time when there is great uncertainty regarding the viability of the global economy. This high-level meeting also gives us an opportunity to draw attention to all that the African countries — with the assistance of the international community — will have to do if they are to achieve the Millennium Development Goals by 2015.

This meeting will focus, inter alia, on the outcome of the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus (Doha Declaration on Financing for Development) and on the Conference on the World Financial and Economic Crisis and Its Impact on Development with a view to strengthening the global partnership for development, supporting strategies designed to avert an economic downturn and accelerating progress towards achieving the Millennium Development Goals and the other internationally agreed goals.

We have made progress towards the Millennium Development Goals; as a whole, the continent is well on the way to achieving some of them — for example, those concerning primary education, gender equality and empowerment of women, access to drinking water and combating HIV/AIDS. The antiretroviral treatment is becoming increasingly available in many countries and, in some places, maternal mortality rates are being reduced. However, at the present rate, Africa will not be able to achieve most of the Goals, particularly those relating to health. In Africa, 1 woman in 16 dies in childbirth; every minute, eight children — two of them newborn babies — die although these deaths could have been prevented.

In order to reverse this trend the African Union has initiated, in more than 13 countries, a campaign to reduce maternal mortality in Africa, its motto being "Africa is not indifferent. No woman should die while giving birth". By the end of the year this campaign will be extended to seven other countries. In 2006 — the last year for which data are available — a total of 880,000 people died of malaria worldwide; 91 per cent of these deaths occurred in Africa, and 85 per cent of those who died were children under the age of 5.

The global economic and financial crisis has further lessened the likelihood of Africa's achieving the Millennium Development Goals. However, we remain confident that, given sound policies and sufficient financing, Africa will be able to achieve them. We must implement appropriate policies and mobilize support to enable Africa to rise up out of poverty, for the primary responsibility for ensuring that the Millennium Development Goals are achieved rests on Africa; of course, the international partners also have a major responsibility, for they must honour their commitments and support the strategies outlined by individual countries.

Economic growth in Africa seems to be picking up following the global economic and financial crisis; this year, growth is 4.7 per cent and, in 2011, it is expected to reach 5.6 per cent. Although this is lower than it was before the crisis and is not enough to halve poverty by 2015, it is the basis for achieving the Millennium Development Goals.

A number of African countries are introducing innovative policies that, if followed by the other countries in the continent, should produce positive results and lead to achievement of the Millennium Development Goals in Africa. Choices will have to be made; these choices must be wise and timely.

That is why, at the Conference of Heads of State and Government of the African Union, held in Kampala in July 2010, the Heads of State adopted a common African position on the Millennium Development Goals and reaffirmed their resolve to act together to achieve the Goals so as to eliminate hunger and poverty and put the African countries, individually and collectively, on the road towards sustainable growth and development.

The African countries are determined to make a concerted effort to create an environment conducive to mobilizing national resources and attracting foreign direct investments; an environment that will foster development of the private sector and make up for the shortfall in investments in basic sectors such as water, land administration, health — including HIV/AIDS — and other infrastructure services.

Africa has the resources it needs to achieve the Millennium Development Goals by the deadline of 2015. We must speed up implementation of our various continental development frameworks and promptly honour the commitments made by African Heads of State and Government in certain areas — agriculture, education, health, statistics, employment, peace and security — which are the means of encouraging progress and attaining the Millennium Development Goals.

This can be done, provided that our major partners honour their commitments and provided that steps are taken to combat capital flight out of Africa and thus move more swiftly towards achievement of the Millennium Development Goals by 2015. In 2005, the Group of Eight and other development partners promised to allocate 0.7 per cent of their GNP to predictable aid; and, at Copenhagen, 30 billion

United States dollars were pledged developing countries to help them adapt to and attenuate the effects of climate change.

I should like to end by expressing my sincere thanks to all the Heads of State and Government here present for their continuing concern for the future and well-being of Africa. The African Union urges you to remain steadfast in this vital effort to develop our continent.

Allow me also to thank our partners for their unwavering support. I should like to take this opportunity to urge you, once again, to join us in the unrelenting fight against poverty so as to ensure a better life for all African people.

United Nations

A/65/509

General Assembly

Distr.: General
11 October 2010

Original: English

Sixty-fifth session
Agenda item 157
Financing of the United Nations Mission in the Sudan

Financing arrangements for the United Nations Mission in the Sudan for the period from 1 July 2010 to 30 June 2011

Note by the Secretary-General

1. In its resolution 64/283 on the financing of the United Nations Mission in the Sudan (UNMIS), the General Assembly appropriated for UNMIS the total amount of $994,880,200 gross for the period from 1 July 2010 to 30 June 2011, inclusive of $923,800,000 gross for the maintenance of the Mission, $48,172,800 for the support account for peacekeeping operations and $8,707,400 for the United Nations Logistics base at Brindisi, Italy (UNLB).

2. Resources approved by the General Assembly for UNMIS provided for the authorized strength of 525 military observers, 9,450 military contingent personnel, 715 United Nations police officers, 1,098 international and 3,078 national staff, 89 temporary positions, 420 United Nations Volunteers and 40 Government-provided personnel.

I. UNMIS support for the referenda in the Sudan

3. In its resolution 1919 (2010), the Security Council extended the mandate of UNMIS to support the implementation of the Comprehensive Peace Agreement and emphasized the Mission's lead role in international efforts to provide assistance, as requested, to support preparations for the self-determination referenda in Southern Sudan and the Abyei area. The referenda, which are scheduled for January 2011, are the culmination of the lengthy peace process in the Sudan, and safe, fair and free voting is critical to the country's future stability and security.

4. In paragraph 17 of its resolution 64/283, the General Assembly noted that resource requirements related to the Mission's support for the referenda were not included in its budget for 2010-11, and decided to revert to the issue, as required, during its sixty-fifth session, to allocate the necessary resources.

5. Providing technical, logistical and security advisory support for the referenda is considerably more complex than in the case of the elections earlier this year. In

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addition to providing support in the Sudan's state capitals, UNMIS has made good progress in establishing a needed presence in 79 "county" locations in Southern Sudan, most of which are very remote, and far from any other United Nations presence. The Mission will also provide assistance to the Southern Sudan Referendum Commission in Khartoum, the Southern Sudan Referendum Bureau in Juba, and the referendum high committee in the 10 states of Southern Sudan, as well as to the Abyei referendum process.

6. The additional staffing requirements of UNMIS to support the referenda are 596 temporary positions, comprising 120 international posts, 124 national posts, 4 national United Nations Volunteers and 348 international United Nations Volunteers. Through flexible use of its approved staffing complement, including assessment of its current and projected vacancy situation, the Mission has the capacity to absorb 90 staff, comprising 11 international staff, 75 national staff and 4 national United Nations Volunteers. This results in a net additional staffing requirement of 506, comprising 109 international staff, 49 national staff and 348 international United Nations Volunteers. Given the urgent need for these additional staff, 506 temporary positions have been approved for a period of six months, on an exceptional basis, to provide technical, logistical and security advisory support for the referenda.

7. The additional financial requirements for this support are estimated at $81.4 million, based on the 506 additional temporary positions. Deployment started in August 2010 and is expected to be completed in November 2010. Other major requirements include eight additional rotary-wing aircraft, vehicles and equipment to establish and staff the United Nations presence in all locations where referenda are to be held.

8. The additional support provided by UNMIS comprises four primary elements: expertise and direct assistance ($23.6 million); logistical support ($48.0 million); security ($2.4 million); and mine action ($7.5 million).

II. Secretary-General's Panel on the Referenda in the Sudan

9. In paragraph 7 of its resolution 1919 (2010), the Security Council, urges the international community to provide technical and monitoring assistance, including referenda observation capacity, as requested by the Sudanese authorities, to support the referenda and popular consultations. In response to the request from the parties to the peace process the Secretary-General's Panel on the Referenda in the Sudan has been established. This monitoring body will be an instrument for building trust in the process and acceptance of the outcomes of the referenda. The Panel will make periodic visits to the Sudan through the scheduled holding of the referenda in January 2011. Panel members will engage with all relevant actors, including the parties to the Comprehensive Peace Agreement, the referendum commission, civil society and observer groups. The Panel will monitor key referenda processes, as well as the political and security situation. In addition to reporting to the Secretary-General on the conduct of the referenda, it will work directly to enhance confidence in the process by encouraging the parties and the relevant authorities to take corrective measures to resolve any significant problems or disputes that may arise. The Panel is independent from the rest of UNMIS, to distinguish it from the Mission and its role in the implementation of the Comprehensive Peace Agreement and other

mandated activities, including support for the referenda and planning for the following period.

10. The Panel, which has been established for a period of six months, effective September 2010, involves 41 temporary positions, including one Under-Secretary-General and two Assistant Secretary-General positions comprising the Panel itself, supported by 38 international staff (1 D-1, 6 P-5, 21 P-4 and 10 P-3). Given the urgent need for these additional staff, 41 temporary positions have been approved for a period of six months, on an exceptional basis, to enable the Panel to commence its operations. The cost is estimated at $4.3 million, including $4.1 million in staff-related costs and $0.2 million in travel costs. The Mission will provide logistical, administrative and security support to the Panel, within its authorized level of resources.

11. The total additional requirement relating to the Mission's support for the referenda in the Sudan is $85.7 million, as detailed in the table below.

Additional resources requirement for the support of the referenda in the Sudan during the period from 1 July 2010 to 30 June 2011

(Thousands of United States dollars)

		Additional cost for the referenda			*Biforcated estimate 2010-11*
Category	*Appropriations 2010-11*	*UNMIS support (General Fund)*	*Security (General Fund)*	*Subtotal (2)=(3)+(4)+(5)*	*(1)+(2)=(6)*
	(1)	(3)	(4)		
Military and police personnel					
Military observers	26 483.7				26 483.7
Military contingents	258 181.0				258 181.0
United Nations police	36 983.8				36 983.8
Formed police units					
Subtotal	**321 648.5**	—	—	—	**321 648.5**
Civilian personnel					
International staff	142 713.8				142 713.8
National staff	67 887.4				67 887.4
United Nations Volunteers	12 130.8	11 859.1		11 859.1	23 989.9
General temporary assistance	7 115.9	11 791.2	4 075.8	15 867.0	22 982.9
Subtotal	**229 847.6**	**23 650.3**	**4 075.8**	**27 726.1**	**257 573.7**
Operational costs					
Government-provided personnel	1 779.7				1 779.7
Civilian electoral observers					
Consultants	472.0	614.0		614.0	1 086.0
Official travel	5 160.9	1 288.3	180.1	1 468.4	6 629.3
Facilities and infrastructure	85 246.0	5 762.4		5 762.4	91 008.4
Ground transportation	19 482.8	1 314.4		1 314.4	20 797.2

	Appropriation for 2010/11 (1)	Additional cost for the referenda: UNMIS support (2)	Additional cost for the referenda: Secretary-General's panel (3)	Additional cost for the referenda: Total cost estimate (4)=(2)+(3)	Total cost estimate 2010/11 (5)=(1)+(4)
Air transportation	152 706.1	29 396.5		29 396.5	182 102.6
Naval transportation	101.7				101.7
Communications	19 337.1	7 267.1		7 267.1	26 604.2
Information technology	15 189.9	1 673.8		1 673.8	16 863.7
Medical	9 851.4				9 851.4
Special equipment	2 753.5				2 753.5
Other supplies, services and equipment	73 422.8	10 485.9		10 485.9	83 908.7
Quick-impact projects	1 000.0				1 000.0
Subtotal	**386 503.9**	**57 799.4**	**180.1**	**57 979.5**	**444 483.4**
Gross requirements	**938 000.0**	**81 449.7**	**4 255.9**	**85 705.6**	**1 023 705.6**
Staff assessment income	25 325.9	1 053.5	506.4	1 559.9	26 885.8
Net requirements	**912 674.1**	**80 396.2**	**3 749.5**	**84 145.7**	**996 819.8**
Total requirements (gross)	**938 000.0**	**81 449.7**	**4 255.9**	**85 705.6**	**1 023 706.6**

12. Against this background, the request for additional appropriation of $85.7 million with assessment is considered exceptional owing to the critical requirement for UNMIS to support the referenda and the fact that the net additional requirements represent 9.1 per cent of the approved 2010/11 budget for UNMIS, which the Mission does not have the capacity to absorb.

13. **The actions to be taken by the General Assembly in connection with the financing of UNMIS are:**

(a) **Appropriation of the amount of $85,705,600 for the support of the referenda in the Sudan, in addition to the amount of $938,000,000 already appropriated for the same period for the maintenance of the Mission under the provisions of General Assembly resolution 64/283;**

(b) **Assessment of the amount of $71,421,334 for the period from 1 July 2010 to 30 April 2011;**

(c) **Assessment of the amount of $14,284,266 at a monthly rate of $7,142,133, should the Security Council decide to continue the mandate of the Mission beyond 30 April 2011.**